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A Public Hearing
of the
ASSEMBLY INTERIM COMMITTEE
ON SOCIAL WELFARE
Subcommittee on
Conditions in Mental Hospitals

at

Modesto State Hospital,
Modesto, California

Tuesday
October 2, 1956

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ATTENDANCE RECORD:

Assemblyman Bruce F. Allen, Chairman	present
Assemblyman Dorothy M. Donahoe	present
Assemblyman Samuel R. Geddes	absent
Assemblyman Frank Lanterman	present
Committee Consultant Dr. Everett W. Du Vall	present
Committee Secretary Mrs. Olga Peterson	present

... A public hearing of the Assembly Interim Committee on Social Welfare, Subcommittee on Conditions in Mental Hospitals, was convened at 10:05 A.M., Tuesday, October 2, 1956, at the Modesto State Hospital, Modesto, California, Assemblyman Bruce F. Allen, Chairman, presiding ...

CHAIRMAN BRUCE F. ALLEN: The meeting will come to order, please. This is a continued hearing of the Subcommittee on Conditions in Mental Hospitals of the Assembly Interim Committee on Social Welfare. We have present this morning two members of the committee, Assemblyman Frank Lanterman on the left, and myself. Assemblywoman Dorothy Donahoe will join us later in the morning. Assemblyman Sam Geddes will not be present during the day, I understand.

I believe I saw Assemblyman Byron Rumford in the audience. I'd like to recognize Mr. Rumford and invite you to join us up here at the front. Mr. Rumford is Chairman of the Assembly Committee on Public Health.

Is Miss Ruby Eager in the audience? Come forward, please.

MISS RUBY EAGER: I protest any picture making, Mr. Allen.

CHAIRMAN ALLEN: Will you sit down, please, before you give any testimony, I want to ask you something and since you object to pictures, I will ask the photographers refrain from taking your photograph.

Now, Miss Eager, in going over the testimony that was given a couple of weeks ago, and the statements that I have seen of

witnesses, you yourself have been accused of certain wrong doings in the laundry. Now, I understand there have been no charges brought against you, but in view of the fact accusations have been made, I have no desire by conducting this hearing to give you any immunity from any prosecution that might develop.

Now, if you wish to testify voluntarily, with the understanding you are not required to answer any question, then we will be happy to receive your testimony. Now, I'd like to have that clear. Do you wish to testify?

MISS RUBY EAGER: Yes, sir.

CHAIRMAN ALLEN: And you understand if you object to any question, you are not required to answer it, all you have to do is say you don't wish to answer it.

MISS RUBY EAGER: Yes, sir.

CHAIRMAN ALLEN: You understand that?

MISS RUBY EAGER: Yes, sir.

CHAIRMAN ALLEN: All right, would you rise please, and raise your right hand.

RUBY M. EAGER
Laundress
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your full name, please?

A. Ruby M. Eager.

Q. And you work here at the hospital?

A. In the laundry.

Q. And your title?

A. Laundress.

Q. And how long have you been employed at this institution?

A. Nine years.

Q. That is from the time it started being operated as a State Hospital?

A. August of '47 I started.

Q. And prior to that, did you work when the hospital was operated by the Army?

A. Yes, sir, I did.

Q. That was also in the laundry?

A. Yes, sir.

Q. And what part of the laundry do you work in?

A. I am on the flat work department now.

Q. Would you pull the microphone right over in front of you, please, speak right into it, please. And during the time you have worked in the laundry, you have worked in other parts of the laundry also?

A. Yes, sir, I was on the press for several years.

Q. Do you know anything about a room there called the "woodshed"?

A. I have heard of it, but I don't know anything about it. I heard it mentioned.

Q. When did you first hear it called a "woodshed"?

A. Oh, several years ago I heard the girls joking about it.

Q. What does that refer to?

A. We had this room there that was for press and other supplies was used there, first aid supplies and things was used for that for a long time.

Q. Have you ever seen the Batsons abusing patients?

A. No, sir, I never had.

Q. That is Mr. or Mrs. Batson?

A. Neither one.

Q. Mr. Batson is Supervisor of the Laundry, or he was until recently?

A. Yes, sir.

Q. And Mrs. Batson has been doing what?

A. She is a laundress, same classification as I am.

Q. And what part of the laundry does she work in?

A. The checking and distributing.

Q. Have you ever seen any beating or whipping of patients?

A. No.

Q. What have you noticed about the way Mr. Batson has treated the patients that work in the laundry?

A. Mr. Batson has been very nice to those patients. It was through his efforts they got the food every Thursday afternoon. One patient in particular that told him he was hungry, and he bought him candy and he gave me money to buy him candy when he would be going away.

Q. Do you know a patient by the name of Fred Fox?

A. Yes, sir, I do.

Q. There was some testimony a couple of weeks ago that Mr. Batson choked Fred Fox for getting some cookies. Do you know anything about that?

A. No, sir, I don't.

Q. Did you hear about it?

A. Not until a couple of weeks later.

Q. Do you remember approximately what year that was?

A. It has been a year and a half or more.

Q. Sometime last year, maybe?

A. I couldn't say.

Q. Did you see Fred Fox at that time?

A. Yes, sir, I saw him later that day.

Q. Same day?

A. The same day.

Q. What was he doing?

A. He was helping with the truck that he works on.

Q. Have you ever seen Fred Fox abused in the laundry?

A. No, sir, I haven't.

Q. You didn't see this incident where the lady said he was choked?

A. No, sir, I did not.

Q. Do you know a person by the name of Grace Van Fleet?

A. Yes, sir, I do.

Q. Who is she?

A. She is working for the housekeeping department now.

Q. Did she work in the laundry?

A. Yes, sir.

Q. When did she leave the laundry?

A. I don't know the approximate date, she has been gone quite a while.

Q. Several years, would you say?

A. Yes, sir.

Q. And did she work in the laundry with you, when the Army operated?

A. Yes, sir, she did.

Q. How did you get along with her?

A. She agitated trouble.

Q. What do you mean?

A. She caused the forelady to get suspended for one thing, and when the forelady's hearing was over, why she came back to work and she and Mrs. Sears and some more girls walked out because the forelady was put back on her job.

Q. How about Beulah Moore, do you know her?

A. Yes, sir.

Q. Grace Day?

A. Yes, sir.

Q. Mary Campbell?

A. Yes.

Q. Do they work in the laundry?

A. Mary Campbell doesn't.

Q. How about Beulah Moore?

A. She is working down there.

Q. Marie Henriques?

A. What?

Q. Marie Henriques?

A. Marie Henriques?

Q. Does she work there?

A. Yes, sir, she is working in the laundry.

Q. How do you get along with those girls?

A. Well, they don't want to take instructions that I am given instructions to give them.

Q. How do the employees in the laundry get along together?

A. There is quite a nervous tension between them.

Q. Was that something that happened in the last couple of weeks, or has it gone on before?

A. It has been going on for a long time.

Q. How long would you say?

A. Several years.

Q. Now you say nervous tension, do you mean that between each employee, or are there groups in the laundry?

A. Groups.

Q. And would you explain what you mean?

A. Sir?

Q. Would you explain that please?

A. There is one clique that agitates trouble, and they think they should run the laundry to suit themselves. They don't want to take instructions.

Q. Would you give us the names of the people that are in this

particular clique?

A. Lavada Sears, Beulah Moore, Marie Henriques, Grace Day, Artie Garriott, Eva Shafer, Lu Sutherland.

Q. How does Mr. Batson get along with these girls?

A. He treats them very nice, the same as he treats any of the rest of us.

Q. Do you know anything about Mr. Batson propositioning any of the girls?

A. No, sir, I don't.

Q. How many patients work in the laundry?

A. Pardon?

Q. How many patients work in the laundry?

A. Approximately sixty-five.

Q. Are they there all at one time?

A. Yes, sir.

Q. And is one day a week when you bring in some food for the--

A. Yes, sir, every Thursday afternoon.

Q. That is for the patients or for the employees also?

A. For patients and sometimes there is some for employees.

Q. Do any of the patients get violent?

A. Seldom ever. There is one that gets disturbed and we have her left in the ward a few days and she quiets down, and she is all right.

Q. You mean one particular patient?

A. Yes.

Q. What is the name of that patient?

A. Ethel Costin.

Q. Does she still work there?

A. Yes, sir.

Q. Have you ever seen an occasion where somebody in the laundry had to physically restrain a patient?

A. No, sir, I have not.

Q. Were you present at the hearing on Tuesday, about two weeks ago? When this testimony about the laundry was presented?

A. No, sir, I wasn't.

Q. Did you read about it in the newspapers afterwards?

A. Yes, sir.

Q. Was there a number of stories about abuse of patients?

You saw those stories?

A. Pardon?

Q. You saw those stories in the papers about patients being abused?

A. Yes, sir.

Q. Do you believe them?

A. No, sir, I don't.

Q. That was going on in the laundry when you worked there?

A. I didn't understand?

Q. If that went on in the laundry, would you work there?

A. No, I wouldn't.

Q. Is there anything else that you would like to tell this committee?

A. No, sir.

CHAIRMAN ALLEN: Thank you very much. You are excused.

Mr. Lanterman, I am sorry, did you have questions?

ASSEMBLYMAN LANTERMAN: No.

CHAIRMAN ALLEN: Who else did we have here? Is Mrs. Amaral out here? Mary Ferreira? Would you raise your right hand, please.

MARY FERREIRA
Laundry Helper
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Will you be seated, and speak directly into the microphone please. Will you give us your full name?

A. Mary Ferreira.

Q. And you work in the laundry?

A. Yes, sir.

Q. And what is the title of your job that you have there?

A. Laundry Helper.

Q. And how long have you worked in the laundry?

A. Since '49.

Q. What part of the laundry do you work in?

A. Well, I am a press operator, in the pressing department.

Q. That is where you iron the dresses?

A. Uniforms, and all kinds of garments.

Q. That is where most of the employees work, isn't it?

A. Yes, sir.

Q. Do you know anything about a room called the "woodshed"?

A. Well, I heard about it since this has been going on.

Q. When did you hear about it?

A. Well, the first day I read it in the paper.

Q. You mean a couple of weeks ago?

A. Yes, sir.

Q. Had you heard about it before then?

A. No, sir.

Q. In this press room, you have adjoining the ladies lounge, is that correct?

A. Well, it is in the dining room, is what they call it.

Q. You have a dining room there?

A. Yes.

Q. Are there some lounge chairs?

A. It is dining room, and then the other room is a rest room.

Q. All right. Do you know Mr. and Mrs. Batson?

A. Yes, I do.

Q. That is the laundry Supervisor and his wife?

A. Yes, sir.

Q. Have you ever seen either one of them beating or abusing a patient?

A. No, I haven't.

Q. Have you ever seen any case of abuse by the Batsons toward either an employee or a patient?

A. No, I haven't.

Q. Have you ever heard Mr. Batson swear?

A. Yes, I have.

Q. And is that something that has been recently?

A. Well, ever since I have worked there.

Q. Has there been any change in the way he swears?

A. Well, the last few months he has --

Q. Pardon?

A. Calmed down a little bit, the last few months, he calmed down a little bit.

Q. Did he cuss you out?

A. He did.

Q. Does he get mad sometimes?

A. Well, he loses his temper.

Q. Have you ever seen him take ahold of a patient physically?

A. No, I haven't.

Q. Have you ever seen Mr. Batson take a patient into this dining room?

A. No, I didn't.

Q. Do you work with any of the patients yourself?

A. What do you mean?

Q. Well, do any of them help you with the machine you run?

A. Well, I am a laundry helper. I am not supposed to give no instructions to the patients.

Q. I don't know. I mean do you ever work with them at all when they are doing the same thing you do?

A. Yes, when I am on the floor with Miss Eager.

Q. And have you ever seen any of the patients get wild or violent?

A. No, I haven't.

Q. Or upset where they had to be taken out?

A. Well, just like Miss Eager was saying that Ethel, that is the only one really gets kind of violent in there.

Q. Do you know Fred Fox?

A. Yes, I do.

Q. Were you there on the day that the girl said that Mr. Batson choked him?

A. No, I wasn't, I think I was on vacation. I wasn't there that day, I know.

Q. You did hear about it sometime?

A. Yes.

Q. You know what I am referring to?

A. Yes.

Q. Is there anything else that you could tell us about the laundry?

A. Well, not offhand. We just have to work under an awful strain sometimes. That is all.

Q. Do you work on a quota system?

A. Yes, I do.

Q. All the work you do is counted?

A. Yes, it is, well, in the press department.

Q. Every dress you iron, a record is made of it?

A. Yes.

CHAIRMAN ALLEN: Thank you for coming. Pearl Harkrader.
Raise your right hand.

PEARL EUNICE HARKRADER
Laundry Helper
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Be seated please. Lean right into the microphone please, and give us your full name.

A. Pearl Eunice Harkrader.

Q. Do you work in the laundry?

A. I do.

Q. As a laundry helper?

A. Yes, sir.

Q. How long have you worked there?

A. One year, the first day of September.

Q. And you know Mr. and Mrs. Batson?

A. I do.

Q. That is the Laundry Supervisor?

A. Yes.

Q. And his wife?

A. Yes.

Q. Have you ever seen either one of them abuse a patient?

A. No, I haven't.

Q. Have you ever seen either one of them choke, hit, or beat or punish a patient?

A. No.

Q. Have you ever heard them speak crossly to a patient?

A. I have not.

Q. Have you ever heard Mr. Batson swear at either patients or employees?

A. No, I haven't.

Q. Either one of them ever bawled you out about anything?

A. No, I have never been bawled out since I have been in the laundry.

Q. What part of the laundry do you work in?

A. I work on a press back in the corner.

Q. And that is the same place that this other lady works --

A. I work --

Q. That testified?

A. I work just below her, the farthest press, yes.

Q. And sometimes you go out and work on the floor?

A. Yes, I do, I work on the floor Thursdays and Fridays and I did work one week out there, and rotating here a few weeks back.

Q. Do you work with the patients at all?

A. Not only when I am on the floor.

Q. When you are on the floor, you do?

A. Sometimes I work at the same thing they are doing.

Q. Were you there on the day that Fred Fox was choked, according to the testimony that was given a couple of weeks ago?

A. No, I don't even know the man myself, I don't know what patient it is.

Q. How do the employees in the laundry get along as a bunch?

A. Well, I have never heard them quarreling or anything.

Q. Are there any cliques out there?

A. Well, some of the girls are closer friends than others. I wouldn't say they are cliques.

Q. Is there anything else that you could tell us about the laundry?

A. No, not that I know of.

CHAIRMAN ALLEN: Thanks for coming. Mr. Snedigar.

MR. IRVIN V. SNEDIGAR: I protest any pictures to be taken.

CHAIRMAN ALLEN: I will ask the photographers not to take photographs. Mr. Snedigar, raise your right hand, please.

IRVIN V. SNEDIGAR
Laundry Supervisor First Grade
Modesto State Hospital

having been first duly sworn that the evidence to be given ~~would be~~ the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, please?

A. Irvin V. Snedigar.

Q. And you work here at the hospital?

A. I work in the laundry.

Q. And what is your title?

A. Laundry Supervisor First Grade.

Q. And you have taken the place of Mr. Batson a couple of weeks ago?

A. Yes.

Q. Do you work under Mr. Batson?

A. No, Mrs. Batson, did you say?

Q. Mr. Batson.

A. Mr. Batson, I worked under him.

Q. You used to work under him?

A. Yes.

Q. And what job did you have then?

A. Well, I am the laundry supervisor second grade -- first grade -- he is second. Before that I was laundry man.

Q. Did you work in all parts of the laundry when Mr. Batson was there?

A. I circulated through the laundry to make sure everything was going satisfactorily.

Q. How long have you worked in the laundry?

A. Since June of '50.

Q. Were you there on the day that Fred Fox was supposed to have been choked?

A. I don't actually know what day it was supposed to have been done.

Q. Do you know Fred Fox?

A. Yes.

Q. Did you ever see him choked by Mr. Batson?

A. No.

Q. Or ever see Mr. Batson take hold of Fred Fox?

A. No.

Q. Have you ever seen either Mr. or Mrs. Batson abuse a patient?

A. No, I haven't.

Q. Ever see either one of them strike a patient?

A. No.

Q. Or use physical restraint on a patient?

A. No.

Q. Ever seen anybody in the laundry use physical restraint on a patient?

A. No.

Q. Ever see Mr. Batson cuss anybody out?

A. I have seen him bawl people out.

Q. Did he swear at them?

A. He didn't call them names, no. He might have swore while he was talking to them, but as far as calling them names, I don't believe he did, as I recall.

Q. Do you know anything about the "woodshed"?

A. Just what I read in the papers.

Q. That was recently?

A. Yes.

Q. Did you ever hear about the "woodshed" before then?

A. No, I never.

Q. How did the employees get along together as a group?

A. Well, I imagine each group gets along all right amongst themselves.

Q. I am sorry, I didn't understand.

A. I believe the group there seemed to be split in two groups and they seemed to get along all right between themselves as groups.

Q. What do you mean, they are split into two groups?

A. Well, there is one group that don't particularly like to

take orders from Mr. Batson, I imagine myself, too, and they have been trying to create trouble for a long time for Mr. Batson.

Q. Who is in that group?

A. Well, they have already been mentioned by Miss Eager.

Q. Same people Miss Eager mentioned?

A. Yes.

Q. Why do you say they are trying to make trouble for Mr. Batson, or whatever you did say?

A. I don't believe that they like to be bossed by anybody and Mr. Batson takes and enforces the State rules and regulations fairly well, and sometime they don't agree with him, I imagine.

Q. Have you ever seen anything to give you this opinion?

A. Yes.

Q. And what is that?

A. Well, I remember one time on a girl's sick papers, she wanted to put down she had a headache, a reason for taking a day off, and Mr. Batson, I was in the office with her at the time, and he wouldn't accept it. So she walked out mad. She took the day off without any authorization.

Q. What was that name again?

A. I didn't mention any name.

Q. What was her name?

A. Lillian Tirado.

Q. Spell the last name for us?

A. I don't know just how.

MRS. PETERSON: T-i-r-a-d-o.

THE WITNESS: She is one I believe is in this here little clique with some of the girls.

CHAIRMAN ALLEN: Q. Have you ever seen any other incidents at the laundry that gives you this opinion?

A. No, I haven't.

Q. Ever heard Mr. Batson accused of propositioning any of the girls?

A. No, I haven't.

Q. Is there a drinking fountain in the laundry?

A. There is two of them.

Q. And who is allowed to drink from the two drinking fountains?

A. Anybody in the laundry or anybody that comes in from the outside that asks for a drink. They are behind a door where the majority of the outside, other than laundry employees, aren't allowed. If they ask for a drink, they are allowed to get it, the patients and employees both.

Q. There isn't any rule that says some people can't drink from the drinking fountain?

A. I never heard of any such rule.

Q. Do you think that if either Mr. or Mrs. Batson, or anybody else were beating patients out there as a regular thing, you would have seen it?

A. I believe I would have run across it once in the time I have been there.

Q. Pardon?

A. I believe I would run across it once or a few times in six

years I have been there.

Q. But it is possible that there was abuse of one patient or one or more incidents that might have happened when you weren't present?

A. That is true.

Q. If it went on frequently --

A. I would think I --

Q. -- you think you would have known about it?

A. Yes, sir.

Q. Is there anything else you can tell us about this?

A. No, I can't think of nothing.

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. Mr. Chairman, I just wonder if it would be appropriate for me to ask this question, if there had been any brutality or any force or violence used by any employee in the laundry as an instance towards abuse, towards one of the patients, would you have known of it, or heard of it?

A. I believe I would have. I would have heard about it. I may not have known so much about it.

Q. You would have heard of it?

A. I believe I would, yes.

Q. And to your knowledge, has that occurred?

A. What?

Q. Has that occurred?

A. No, it hasn't.

Q. Not to your knowledge?

A. Not to my knowledge.

Q. You have never observed anything of the kind in the conduct of the laundry?

A. No.

CHAIRMAN ALLEN: Thank you very much. You may be excused. Thelma Collett. Raise your right hand, please.

THELMA COLLETT: I don't want my picture taken.

THELMA COLLETT
Laundry Helper
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. All right, no pictures. Your name, please.

A. Thelma Collett.

Q. And how do you spell the last name?

A. C-o-l-l-e-t-t.

Q. And you work in the laundry?

A. Yes, I do.

Q. How long have you worked there?

A. A little over two months.

Q. Pardon?

A. A little over two months.

Q. Have you ever seen Mr. or Mrs. Batson abuse a patient?

A. No, I haven't.

Q. Do patients work in the laundry?

A. Yes, they do.

Q. Do you see them from time to time?

A. Yes.

Q. How do you get along with the patients?

A. I get along with them just fine.

Q. Do you know anything about the "woodshed"?

A. No, I don't.

Q. Did you ever hear of it?

A. No.

Q. Have you ever seen anybody out there abuse a patient?

A. No.

CHAIRMAN ALLEN: I believe that is all. Thank you for coming in. Lucille Amaral. Raise your right hand, please.

LUCILLE AMARAL
Laundry Helper
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, please?

A. Lucille Amaral.

Q. And you work in the laundry?

A. Yes.

Q. How long have you worked there?

A. Five years in November.

Q. Pardon?

A. It will be five years this coming November.

Q. And what part of the laundry do you work in?

A. I work in the distributing room.

Q. Have you ever seen either Mr. or Mrs. Batson abuse a patient?

A. No, I haven't.

Q. Or physically restrain a patient?

A. No, I haven't.

Q. Were you there on the day that Fred Fox was supposed to have been choked?

A. Yes, I was.

Q. Would you tell us about it?

A. Well, on Thursdays the patients down there at the laundry, they have refreshments, that is special day, I believe it was snails and hot chocolate, and Fred, he works on a truck with Mr. Webber, and when he brought in the trays with the snails, he had two snails one in each hand, and hanging onto the trays, and he set the trays on the table and he helped himself to another one. Well, he went out to the truck and brought in another tray and he had one in each hand, and one in his mouth, and then he helped himself to another one. I thought maybe he was hungry, or wanted to give someone some. So we have to limit those refreshments to the patients, so I asked Mr. Batson, is it all right if Fred could have more than three snails, and Mr. Batson says, no, so he just pushed Fred away. Fred got kind of angry with him, and so Mr. Batson just grabbed his arm and twisted it onto his back, and put his other arm around his neck and pushed him out the door.

Of course, I didn't see any more, after he pushed him out the

door because I was in the other room. I can't see. There is a wall in between there. But I understand that Fred came back for some more snails, and that is when the girls said they seen him take Fred out and choke him unconscious. I didn't see that at all and I don't know whether Fred came back to work that afternoon or not.

Q. What was the truck driver's name?

A. Ivy Webber.

Q. And he was -- he and Fred were delivering the snails to the laundry?

A. Yes.

Q. Have you ever seen Mr. Batson choking any patient?

A. No, I haven't.

Q. Or hitting them?

A. None of them.

Q. Know anything about the "woodshed"?

A. Not until I read that in the Modesto Bee.

Q. That was when?

A. About a month ago, I guess it came out in the paper.

Q. How do you get along with Mrs. Batson?

A. I get along fine with her.

Q. Have you ever heard either Mr. or Mrs. Batson swearing at either the patients or employees?

A. No, I never did.

Q. Or raising their voices?

A. No, not just with Virginia Andrews, we have in the distri-

buting room, sometimes she gets upset, and she has to holler at her to settle down. That is about the only hollering I ever heard.

Q. You mean Mrs. Batson hollers?

A. Yes.

Q. Have you ever heard talk from the other girls Mr. Batson was beating the patients?

A. Yes, I have heard several of the girls talking about Mrs. Batson had mistreated --

Q. Mr. or Mrs?

A. Both Mr. and Mrs. Batson.

Q. When did you hear these things?

A. Oh, that started here, oh, I'd say about a year ago when they started in talking about this out there.

Q. Have you heard anything about any abuse recently?

A. No, I haven't.

Q. Have you ever seen anything to substantiate these stories?

A. No.

Q. You haven't seen any abuse yourself?

A. You mean -- Mr. Batson abusing a patient?

Q. Yes.

A. Lately, no.

Q. At any time?

A. No, I never did except just that Fred Fox.

Q. What girls did you hear talking about this?

A. Well, it is kind of hard, there are two groups down at the laundry, and we get in with the girls and they start talking about

this, Miss Sears and Artie Garriott and Lu Sutherland, Marie Henriques, they usually say that Mr. Batson or Mrs. Batson had mistreated the patients at one time. Of course, I wasn't there at the time and if he did now, I haven't seen it.

Q. Those ladies you just mentioned kind of hang together?

A. Yes.

Q. Do they get along with Mr. or Mrs. Batson better or worse than the other girls?

A. Well, I'd say not so too friendly with either one of them.

Q. How about between the two groups, how did the groups get along with each other?

A. Well, they seemed to get along pretty good. They don't discuss things very often with each other. Anything that matters of the hospital, or anything, they just don't talk about it, except this other group to themselves.

Q. Are there any rules about using the drinking fountain?

A. No, I have never heard any rules about the drinking fountains.

Q. Are patients allowed to drink out of the drinking fountain?

A. Yes. We have that fountain there where the patients come and drink, and employees, and then they have the other one, the back end of the laundry, for the male patients, and men that work back there.

Q. Have you ever heard any of the employees threaten patients with shock treatment?

A. No, I haven't.

Q. Have you ever seen any of the patients get violent?

A. Just this Perlman, and Esther, -- what is her name -- Ethel, I think is her name, Lester Perlman, they are the only two. Sometimes they both work on the ironers, feeding sheets, once in a while they get into a fight and she just gets angry at him because he is an older man, and we have to stop them. They never did hit each other, not that I seen them, but just words.

Q. How did you stop them?

A. We just have to go up to them, and tell them to be quiet, or we will just keep them in the ward for a while. And then --

Q. Did you have to pull them apart?

A. No.

CHAIRMAN ALLEN: Any questions? Thank you for coming.
Thelma Crosby.

THELMA CROSBY: Please, no pictures.

THELMA CROSBY
Laundry Helper
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Be seated please and give us your name?

A. Thelma Crosby.

Q. And you work in the laundry?

A. Yes, I do.

Q. How long have you worked in the laundry?

A. Since May the 1st, 1956.

Q. Did you work here at the hospital before then?

A. No, I did not.

Q. What part of the laundry do you work in?

A. I work in the press room, about three days a week, and the rest of the time I am on the floor.

Q. Have you ever seen the Batsons abuse a patient?

A. I have never.

Q. Have you ever heard either one of them swear at either patient or employees?

A. I have never heard a harsh word of either of them.

Q. How do the Batsons act toward the patients?

A. Very, very nice, buy gum and candy, they ask for cigarettes, they get cigarettes, whatever the patients require.

Q. How do you get along in the laundry?

A. Well, I would say I get along very well as long as I -- let's put it this way, as long as I don't mingle with the other clique.

Q. I am sorry, I didn't get that.

A. I get along very well, as long as I do not mingle with the other clique.

Q. What do you mean by other clique?

A. Well, there is a certain friction there between the girls that I would say is a little petty jealousy, and they don't take to outsiders like me, when I came here, they didn't treat me very well, slurring and nasty remarks.

Q. Who is in this other clique?

A. Lavada Sears, Artie Garriott, Eva Shafer, Lu Sutherland,

Lillian Tirado, Marie Henriques, Grace Day, and Beulah Moore.

Q. Have you ever seen either Mr. or Mrs. Batson abuse a patient?

A. Never.

Q. Or hit a patient?

A. Never.

Q. Choke a patient?

A. Never.

Q. Have you ever seen any employee in the laundry abusing a patient?

A. No, I have not.

Q. Ever seen a patient get violent?

A. Well, I have seen a patient become rather upset, like Ethel, that Mrs. Amaral told you about, she gets excited once in a while and they talk to her very gently and she is over with it.

Q. Ever seen any employee use any physical restraint or physically take hold of a patient?

A. No, I have not.

Q. Ever see Mr. Batson get into an argument with one of the girls?

A. I didn't see Mr. Batson get into an argument with one of the girls. I saw the girls get into an argument with him.

Q. Which girl was that?

A. Well, there is three or four instances of it, not only Mr. Batson, but Mr. Snedigar, one day here about a month ago, Mrs. Moore was out there on the ironer, and she became very angry and she raised

her voice and hollered and nobody said anything, they just let it drop. I seen Mrs. --

Q. You know anything about the "woodshed"?

A. No, never heard a word of it.

Q. Anything else you'd like to tell us about the laundry?

A. Well, just some of the girls that clique shall we say, that they get perturbed at things and they take it out on Mr. Batson and Mr. Snedigar, Mrs. Eager, Mrs. Amaral, whoever happens to be there.

Q. Anything else you'd like to tell?

A. That is all.

CHAIRMAN ALLEN: Thank you for coming. Mary Stroud.
Raise your right hand, please.

MARY STROUD
Laundry Helper
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, please?

A. Mary Stroud.

Q. And you work in the laundry?

A. Yes, I do.

Q. How long have you worked there?

A. Approximately nine months or more.

Q. What part of the laundry do you work in?

A. Press room.

Q. And that is where you press dresses?

A. Yes, sir.

Q. And do handwork?

A. Yes.

Q. Have you ever seen either Mr. or Mrs. Batson abuse a patient?

A. No, I haven't.

Q. Do you know the Batsons?

A. Yes.

Q. Have you ever heard them swear at them?

A. No.

Q. Or raising their voices, either one of them?

A. Well, I heard Mr. Batson raise his voice one time.

Q. What was that?

A. Back in the wash room, I was out on the floor, and I heard him hollering at a patient, that is the only time.

Q. Was he swearing at the patient?

A. No, he wasn't swearing.

Q. How do the employees get along as a group?

A. Very well, I think.

Q. In the time you have been there, have you seen any abuse of a patient by any employee?

A. No, I haven't.

Q. Have you ever seen any of your patients get violent?

A. No.

CHAIRMAN ALLEN: Thank you very much. Miss Dorothy

Donahoe joined us. Let's see, who have we got back there now? Mr.

Earl Stern, raise your right hand, please.

EARL STERN
Laundry Man
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Name, please?

A. Earl Stern.

Q. And do you work here at the hospital in the laundry?

A. Yes, sir.

Q. And what title do you have?

A. Laundry man.

Q. And how long have you worked here?

A. Oh, about three years, three years in January.

Q. What part of the laundry do you work in?

A. The wash room.

Q. Do you get into the press room at all?

A.. No, on occasion when I have to.

Q. Do you have any patients work in the part of the laundry you work in?

A. Yes, sir.

Q. About how many patients?

A. Oh, I say approximately around 12 or 13.

Q. Have you ever seen either Mr. or Mrs. Batson abusing a patient?

A. No, I haven't.

Q. Ever heard either Mr. or Mrs. Batson swearing at a patient?

A. No.

Q. Or you?

A. No.

Q. Were you there the day Fred Fox was supposed to have been choked?

A. I presume I was.

Q. Did you see it?

A. No, I didn't.

Q. Do you know anything about the "woodshed"?

A. No, I never heard of it.

Q. Is there anything more you would like to tell us about the laundry?

A. No, I don't believe there is.

Q. Thank you for coming.

A. Yes, sir.

ASSEMBLYMAN LANTERMAN: May I ask a question?

CHAIRMAN ALLEN: Mr. Lanterman.

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. I don't think it was brought out that you said -- he presumed he was there the day Fred Fox was supposed to be choked. How did you hear of the occasion that he may have been choked?

A. Oh, I heard about it just about a month ago.

Q. You didn't hear about it at the time?

A. No.

Q. Where did you hear it from?

A. One of the employees.

Q. May I ask who the employee was?

A. Mrs. Day.

ASSEMBLYMAN LANTERMAN: Thanks.

CHAIRMAN ALLEN: Mr. Striplin, please. Would you stand, please, and raise your right hand?

CARLETON W. STRIPLIN
Laundry Man
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, sir?

A. Carleton W. Striplin.

Q. Do you work here at the hospital laundry?

A. Yes.

Q. How long have you worked there?

A. Five and a half years.

Q. What part of the laundry do you work in?

A. In the wash room.

Q. Do you have patients that work in there with you?

A. Yes, sir.

Q. Have you ever seen Mr. or Mrs. Batson abuse a patient?

A. No, I haven't.

Q. Or hit a patient?

A. No.

Q. Use any physical force on a patient?

A. No.

Q. Or swear at a patient?

A. No.

Q. Did they swear at you?

A. Yes.

Q. One or both of them?

A. Mr. Batson.

Q. And is this something that happens frequently or what would you tell us about it?

A. Well Mr. Batson is, he is very insulting. When he corrects you for anything, why he does it in an insulting way.

Q. Does he use cuss words?

A. Yes.

Q. When he talks to you?

A. Yes.

Q. This is something that is continued recently, or has there been any change in Batson's conduct?

A. Well, I have noticed a difference recently, yes.

Q. And about when did you notice -- when did you notice this difference?

A. Well, I imagine about a year ago, different with me.

Q. Pardon?

A. I say different with me in the last year.

Q. All right, during the last year, has he used cuss words at you?

A. I don't remember of it in the last year.

Q. Do you know anything about the "woodshed"?

A. Never heard of it until this come up.

Q. Ever seen any of the patients get violent?

A. What was the question?

Q. Have you ever seen any of the patients get violent?

A. No.

Q. Have you ever had to use physical force on a patient?

A. Never have.

Q. How do you get along with the women?

A. Never have had any trouble with any of them.

CHAIRMAN ALLEN: Any questions? Thank you for coming. Is Mr. Lutes here? Raise your right hand, please.

GORDON A. LUTES
Laundry Man
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, sir?

A. Gordon A. Lutes.

Q. You work here in the laundry?

A. Yes, I do.

Q. That is as laundry man.

A. As a laundry man.

Q. And spend most of your time in the wash room?

A. Well, lately I have been all over.

Q. Pardon?

A. Lately I have been all over, laundry, I take them for the time being.

Q. How long have you worked in the laundry?

A. Six and a half years.

Q. Have you ever seen a patient abused by either Mr. or Mrs. Batson?

A. No, I haven't.

Q. Ever seen either Mr. or Mrs. Batson beat, or hit, or whip a patient?

A. Never seen them beat any patient.

Q. Do you think that there is much of that sort of thing going on, you would have seen it?

A. I should ought to, I would have thought.

Q. Pardon?

A. I should have ought to seen it.

Q. It is possible something happened when you weren't present?

A. Could have had.

Q. You can't be sure about that, can you?

A. No, I can't, because a lot of times I am back in the wash room, I can't see anything back there.

Q. Do you know Fred Fox?

A. I sure do.

Q. Tell us something about him?

A. Well, only thing I seen about him, Mr. Batson took him to the door.

Q. Pardon?

A. Only time I seen anything about that was the time Mr. Batson took him to the door, that is all I ever seen.

Q. Tell us what happened on that day?

A. They had him by the back of the neck, and shoulder, and pushed him to the door. That is all I seen. I was way in the back end.

Q. Were you present when Mr. Batson took ahold of Fred Fox?

A. No, I wasn't.

Q. You don't know why Mr. Batson took ahold of him?

A. I do not.

Q. Did Fred have anything in his hands at that time?

A. Not that I could see from where I was at.

Q. How was Mr. Batson holding Fred?

A. Had him by the back of the neck and one shoulder.

Q. Had ahold of Fred's shirt collar?

A. Shirt collar.

Q. And where else?

A. One shoulder, just had his hand on one shoulder.

Q. Did you see Mr. Batson choke Fred at that time?

A. I did not.

Q. Was Fred the kind of a fellow that is hungry very much?

A. Well, he used to be, I don't know how he is any more. I'd see him be on the truck with him, I used to deliver the linen and once seen him jump off the truck and run and grab a crust of bread or apple core, or something, and he ate it.

Q. Did Mr. Batson ever cuss you out?

A. Yes, he did several times.

Q. And is that something that has gone on up until the time Mr. Batson was dismissed?

A. Well, no, about, oh, maybe a year or so, year and a half, something like that I should say.

Q. Has he cussed you out during the last year?

A. No, he hasn't.

Q. Do you know anything about the "woodshed"?

A. Never heard of it before until I read it in the paper.

Q. Pardon?

A. Never heard it until I read it in the paper, didn't know where the room was.

CHAIRMAN ALLEN: All right, thank you very much. Let's see, is Mrs. Lambert here? Raise your right hand, please.

BERNADINE LAMBERT
Laundress
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, please?

A. Bernadine Lambert.

Q. And you work in the laundry?

A. Yes.

Q. How long have you worked there?

A. Well, ever since 1947, started around the first of July.

Q. Do you know anything about the "woodshed"?

A. Well, it is a room that we used to keep supplies in, like materials for the ironer, and I mean that is what it was named, one of the girls started calling it the "woodshed". It just had supplies in it, we used to use.

Q. When did you first hear this called a "woodshed"?

A. It has been several years ago, I don't recall just when it was. Now we use it for a lunch room.

Q. How long has it been used for a lunch room?

A. About four or five years, I think, it may not be exact, no it couldn't have been that long.

Q. Ever seen Mr. Batson take a patient in there?

A. Pardon me?

Q. Have you ever seen Mr. Batson take a patient into this room that is now the dining room?

A. Yes, several years ago I saw him take a patient.

Q. What patient?

A. Well, there was one by the name of Tracy.

Q. Pull the microphone over a little closer, please, thank you.

And what happened then?

A. I don't know, I was busy pressing, and he took her in there, it wasn't long until he came out again.

Q. Did Tracy come out?

A. Yes.

Q. Did you notice anything peculiar about Tracy when she came out?

A. No, she didn't look any different to me than she did when she went in.

Q. Pardon?

A. I didn't notice she looked any different when she came out than she did when she went in.

Q. Do you know why she was taken in there?

A. No, because I was busy with my work.

Q. Did you hear any sounds that would indicate there was any beating going on at that time?

A. No.

Q. Have you ever seen Mr. Batson take any other patient in there?

A. Well, there was one, named Katie May, she was a colored girl.

Q. What happened then?

A. Nothing that I know of, I don't know.

Q. Well, have you ever seen any indication that either Mr. or Mrs. Batson was abusing a patient?

A. No, I never have.

Q. Ever seen either of them do anything that would give you the opinion that they were doing that?

A. No, in fact it seems to me like they have been very kind to the patients. I am in and out of the distributing room there quite often through the day, and I have never seen Mrs. Batson in there abuse a patient. She has four or five in there with her all the time.

Q. Have you ever heard Mr. Batson swear at anybody?

A. No, I can't recall ever hearing him swear at any of the patients.

Q. Did you read the newspaper stories that came out about the laundry about two weeks ago?

A. Well, I don't know hardly what to think of them.

Q. Do you remember seeing the stories in the newspapers about the laundry?

A. Yes, I have seen them.

Q. All right. Did they sound like the laundry?

A. No, not quite, doesn't seem to me like it is like that in there.

Q. How do the employees get along as a group?

A. Well, we get along pretty good. It seems like there is a certain few though that kind of want to -- I don't know what it is.

Q. Would you work in the laundry if you saw Mr. or Mrs. Batson or anybody, beating the patients?

A. No. I'd have to work probably, so I couldn't say I wouldn't but I wouldn't like it, and I certainly would say something about it.

Q. Tell somebody about it?

A. Yes, if I thought it was -- if I saw him beat one, I am sure I would.

ASSEMBLYMAN LANTERMAN: Who are the certain few that she mentioned?

CHAIRMAN ALLEN: Q. You mentioned there was a certain few that were in a clique, who do you mean?

A. Well, there are a few that seem to stick together pretty close.

Q. Would you give us the names?

A. Sears and Sutherland and Garriott, Henriques.

Q. Were you there the day Fred Fox was supposed to have been choked?

A. I was there, but I wasn't down in the main building.

Q. Did you see Fred Fox?

A. I went down -- I didn't see him that day, because he comes in the laundry in the truck all the time.

Q. Did you see Mr. Batson take ahold of Fred Fox?

A. No.

Q. Did you hear about the incident afterwards?

A. Yes.

Q. Ever see any of the patients get violent in the laundry?

A. No, I never have.

Q. Anything else you would like to tell us?

A. No, I think you have asked me about everything.

CHAIRMAN ALLEN: All right, thank you very much. Mr. Webber. Is Mr. Webber present? Mr. Webber, would you sit down for a moment, please. There has been testimony before a different committee previously with regard to an incident where a patient named Fred Fox was choked, and the testimony indicates you were present at the time.

I haven't seen anything that implicates you as having choked the patient, but because of the possibility there might be something come out in the future, I wouldn't want to take any action here that could be construed as giving you immunity from some prosecution.

If you want to testify voluntarily, we'd be glad to hear from you. You will not be required to testify, and if you don't wish to do so, just let us know.

MR. IVY R. WEBBER: Well --

CHAIRMAN ALLEN: If you wish to testify voluntarily, we will be glad to hear from you.

MR. IVY R. WEBBER: I'll answer any questions you ask.

CHAIRMAN ALLEN: Pardon?

MR. IVY R. WEBBER: I'll try to answer any questions you ask.

CHAIRMAN ALLEN: Could we have this understanding that if you do not wish to answer any question, you will just say you don't care to answer, you tell me that.

MR. IVY R. WEBBER: I think so.

CHAIRMAN ALLEN: Will you stand and raise your right hand, please?

IVY R. WEBBER
Equipment Operator
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, sir? Pull the microphone up to you close.

A. Ivy R. Webber.

Q. And how do you spell the last name?

A. W-e-b-b-e-r.

Q. And you work in the laundry?

A. No, I am equipment operator.

Q. And you work for them in the Modesto State Hospital?

A. Yes.

Q. You drive a truck?

A. I drive a truck.

Q. What kind of a truck?

A. It is a Chevrolet, I drive it for the laundry.

Q. And you drive it for the laundry?

A. Yes, sir.

Q. How long have you done that work here?

A. '52, in March.

Q. Do you remember an incident when Mr. Batson pushed or got Fred Fox out of the laundry, it happened a year or two ago?

A. I think I remember.

Q. Would you tell us what happened?

A. Well, it was on a Thursday, and each Thursday of the week, why in the afternoon, they bring drinks from 72 kitchen, and go to the bakery and pick up cakes or doughnuts or cookies, whichever they may have for them, and bring them over, and at 2:00 o'clock every Thursday afternoon, they feed the patients that are in the laundry, and this day I went over and got the stuff.

Q. I am sorry, I can't hear you.

A. I said I had gone over and brought the stuff over to the laundry, which was about, oh, twenty minutes till 2:00.

Q. Was Fred Fox helping you?

A. Yes, sir, he was.

Q. What happened after you got the stuff to the laundry?

A. Well, we taken it in and put it on the table where we always deliver it, and some of the boys were outside pushing up some linen upstairs, and Fred and myself and one of the other boys was taking the stuff inside the laundry, and put it on this table and we come on back out then. Fred, he had started in a couple of times and Mr. Batson told him to stay out, and he had his pockets full of cookies, at that time, got them off the truck coming over from the bakery, and Mr. Batson and I was standing there talking and he started in, why, Mr. Batson, he was leaning over against the door with his hand across the doorway there, talking to me, and Fred started to make a dive for his arm, and he grabbed him and stopped him and pulled him back, with Fred's left arm with his right, and pulled him back out, and said, "Fred, don't get any more cookies, you have got your pockets full now."

And I said, "Well, let's put him outside." I said, "Come on, Fred, let's go outside. It is time for us to eat."

So Fred, he followed me to the door, and I put him out, and he helped the boys push the rest of the linen upstairs and when it came time to feed, why I opened the door and called the boys down from upstairs, told them to come on and eat, it was time for them to eat. That is all there was to it.

Q. Did Mr. Batson choke Fred at that time?

A. No, he didn't choke him.

Q. Did Mr. Batson take ahold of Fred?

A. Well, he grabbed him as he went under his arm to go in, and

stopped him, and crossed over Fred's left arm with his right hand and said, "Fred, don't go in, you have your pockets full of cookies now."

Q. After that happened, did Fred go back in again?

A. No, no, I put him out.

Q. Fred wasn't pushed out twice?

A. No.

Q. Once? You are sure it was just once?

A. He started in a couple of times before that, Mr. Batson told him to stay back out, and this one time, the third time he started in he just made a circle and come back around, dove under Mr. Batson's arm and started to dive under, why, he grabbed him.

Q. Did Fred continue to work that day?

A. Yes, he did.

Q. Did Fred complain about the way he had been treated?

A. No, he didn't say anything about it.

Q. Did you work with Fred before?

A. Yes.

Q. Does he ride on the truck with you?

A. He rides on the back of the truck.

Q. And in your work, do you go inside the laundry from time to time?

A. Yes, sir, I do.

Q. Aside from this incident that you have just described, have you ever seen either Mr. or Mrs. Batson beat, punch, choke, or take hold of a patient?

A. No, I haven't.

Q. Ever seen them abuse a patient?

A. No.

Q. Anything else you can tell us?

A. I don't believe there is.

CHAIRMAN ALLEN: All right, thank you very much. Is Fred Fox here? Is Mary Richardson here? Raise your right hand, please.

MARY RICHARDSON
Psychiatric Technician
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, please?

A. Mary Richardson.

Q. And you are employed here at the hospital?

A. Psychiatric Technician.

Q. How long have you worked here?

A. Nine years.

Q. And do you belong to an employees' association?

A. Yes, I am Secretary of C.S.E.A., Chapter 124. I am also chairman of the C.S.E.A. personnel committee from my group.

Q. Pull the microphone over close, please. Do you have a grievance committee?

A. I am chairman of that committee, we call it personnel committee here.

Q. I see. And have you had occasion in your work with this committee to investigate any complaints in the laundry?

A. We have.

Q. Would you tell us just what happened?

A. The first occasion I know of working with the group in the laundry, we didn't actually have a personnel committee at that time. Our executive committee from the chapter had requests from these girls in the laundry to well, hear them out, so a meeting was arranged with Mr. Kinsey, our personnel officer, Mr. Garvey, who was then our Business Manager, and the employees from the laundry along with our executive committee. That was in the spring of '55.

Q. And go ahead and tell us what were the complaints you had at that time?

A. I didn't take minutes of that meeting. The one thing that I definitely remember about that meeting, this particular incident, I believe this is the same incident, with the male patient which was brought up at that time, and the Business Manager, I believe, checked into it then.

Q. That is this Fred Fox, you mean?

A. I believe it is the same incident.

Q. All right. Did you investigate any complaints before that time?

A. None previous to that time.

Q. And you had further meetings?

A. We began working with this group this spring, I believe it was about the first of March.

Q. This year?

A. This year.

Q. And what complaints did you have?

A. Can I open the book?

Q. Yes, you go ahead and refer to your notes.

A. I have here copy of minutes of a meeting held with Dr. Williams. Can I just read them?

Q. Go right ahead and tell us the best you can, did you take these minutes yourself?

A. I did not take these minutes. They were compiled at the direction and request of Dr. David B. Williams, Superintendent.

Q. Well, were you present at the meeting?

A. I was there. They are signed by Dr. Williams and myself.

Q. Pardon?

A. The minutes are signed jointly by Dr. Williams and by myself.

Q. All right, go ahead.

A. Modesto State Hospital, C.S.E.A. Personnel Committee, Chapter 124, April 5th, 1956.

Present: Dr. Williams, Mr. Garvey, Mr. Kinsey, Mr. Garvey and Mr. Batson.

Committee members present: Mary Richardson, Chairman, Mr. Goodman, Mr. Azlin, Mr. Hilton, Mrs. Eudy. Mr. C. L. Caps, President, Chapter 124, C.S.E.A., was also present.

This meeting between the committee and the Superintendent was called to consider various complaints and suggestions of the laundry personnel filed with the committee. Mrs. Richardson explained the policy and purpose of the committee to Mr. Batson before the agenda was presented for consideration, and stressed the fact that the

comments to be presented were not those of the committee, but were all those which had been presented to the committee for consideration.

Following are the complaints registered in writing to the committee from various members of the laundry personnel: Number one, restriction placed on employees' rest period.

Employees stated they were (a) prohibited from going outside the laundry building during the rest period, (b) not allowed to go to a public phone booth to use a phone during this time, (c) were not allowed to bring reading material or fancy work from home to occupy their time during these rest periods.

Solution: (a) The Superintendent read from Hospital Bulletin No. 12, issued February 16th, 1953, and from State Personnel Board Rule 360. This bulletin designates that laundry employees will take their rest period in groups in the laundry building. An adequate lounge and lunch room has been provided in the laundry for this purpose. (b) Mr. Batson will permit employees to leave the laundry during the rest period to use the public phone when they request it as necessary. (c) Employees will be permitted to bring a book or magazine or a small piece of fancy work to do during the rest period. However, employees are to refrain from leaving reading material or fancy work in places where they might become a fire hazard.

2. Lack of clear and concise orders and instruction from Supervisors.

This referred specifically to order and directions the employees receive from their Supervisor as to the manner in which recent job

sheets were to be filled out, as well as other incidents.

Solution: Mr. Batson is to continue giving his instructions to his two laundresses to carry through, but he is to talk with the one who seemed to be most at fault, and see that she gives all instructions in a clearer and more concise manner.

3. Shouting at employees by Supervisor.

This was covered in No. 2, and the solution will be handled by Mr. Batson's talk to the employee as it is the same Supervisor mentioned in No. 2.

4. Feeling Mr. Batson agitates and stirs up dissention.

The one who voiced this complaint inferred that Mr. Batson had favorites.

Solution: Mr. Batson denies any knowledge of this practice and feels that it may stem from personal dislike between two employees.

5. Mrs. Batson washes dogs' dishes in employees' drinking fountain.

Mr. Batson denied this, stating Mrs. Batson may have filled the dogs' drinking dish at the fountain, but nothing more.

Solution: The dog will be left at home, and not brought to the laundry.

6. Uniform orders to all.

The statement in one letter was that Mr. Batson showed partiality to Mrs. Batson, allowing her to go to the office to sit down. Mr. Batson states this was not true, but perhaps someone did not understand that when Mrs. Batson went into the office and sat at a desk, she was doing part of the clerical work necessary, such as

keeping up the production cards.

Solution: The curtain between the office window and laundry room will be removed, so employees may know what is going on in the laundry, and that anyone working in the office may be seen.

7. Feel that patients are sometimes abused, physically and verbally.

Mr. Batson explained this probably referred to an incident which occurred with a disturbed patient when it had been necessary for him to have the assistance of the truck driver to remove a patient from the presence of other patients and employees for protection of all until the patient was over his disturbed state. A report of this incident is on file. Mr. Batson suggested it would be a good idea for all employees to have a good training period in the handling of patients before they went to work in the laundry.

8. Some employees feel their private lives are investigated too much.

This appeared to be a reference to Mr. Batson making inquiries when the employee was away on sick leave.

Solution: When this is a check to see if the employee is off duty because of illness, the checking is legitimate.

9. Feel that employees should have keys to the press room.

Solution: An order has been placed for suitable locks and keys.

Do you want me to continue?

Q. Go right ahead.

A. Following the discussion of various complaints, Mr. Kinsey urged the committee to make sure the employees seek relief through

proper supervisory channels before bringing their complaints to the Committee. He also suggested employees on sick leave who had been off duty because of a prolonged illness, should notify their Supervisor four or five days before they planned to return to work. Mr. Kinsey will publicize this in A.M.S.H. memorandum.

Mr. Batson requested, and received approval to increase the production on pressing patients' clothing and keep the piece room operating rather than combining with the press room during slack times.

Mr. Kinsey was requested to furnish job specifications for each job, to be posted in the laundry, as well as an organization chart, Mr. Batson will request employees to give him any further complaints in writing, and he will answer them in writing.

Q. Now, you mentioned that during either this meeting or the previous one, there was a complaint about this incident involving Fred Fox. Were there any other complaints about beatings or brutality in the laundry?

A. That is the only one I ever heard.

Q. Any complaints about the "woodshed"?

A. I never heard of the "woodshed" until this all came up in the papers. At one time when we had a meeting with the employees from the laundry, we were talking about their complaints, and we asked them if they had any reports of brutality they could bring to us. And to put them into written form, and at that time they apparently didn't have any.

Q. Do you know who was present at that meeting? Lavada Sears?

A. Approximately, I can give you some of the names.

Q. Was Lavada Sears there?

A. I believe she was.

Q. Marie Henriques?

A. Yes.

Q. Beulah Moore?

A. I believe so.

Q. Grace Day?

A. I believe so.

Q. Mrs. Lutes?

A. I don't know about that one.

Q. Artie Garriott?

A. I am not sure about her either.

Q. After this meeting that you have just referred to, did you have any other meetings with superintendents or staff regarding complaints at the laundry?

A. No.

Q. Could you give us a copy of these minutes you just referred to for our records?

A. Well, I don't know, I could furnish you with a copy, I will be glad to loan you my book.

Q. All right, fine.

A. All right.

CHAIRMAN ALLEN: We can get that afterwards. Just a minute, any questions? Thank you very much. Is Henry Bezore here?

HENRY BEZORE
Regional Director District VIII
California State Employees' Association

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, sir?

A. Henry Bezore.

Q. Your occupation?

A. Lieutenant, California Department of Corrections.

Q. And you are employed at Deuel?

A. Deuel Vocational Institution.

Q. Are you also an officer of the California State Employees' Association?

A. Member of the Board of Directors, sir, Regional Director in this District.

Q. That District includes this hospital?

A. It includes this hospital.

Q. How long have you had that position?

A. Since February.

Q. Of this year?

A. Of this year.

Q. And before that you were active?

A. I was active in the District in other capacities.

Q. And did you have any occasion to investigate the laundry at this hospital?

A. Mr. Allen, I would prefer not to refer to it as an

investigation. I had some discussions with the employees of the laundry and the members of the personnel, Civil Service Committee of this Chapter.

Q. And did the discussions that you had involve complaints that Mary Richardson just recited to us?

A. Yes, sir.

Q. The one about the dog and curtains and rest periods, and those things?

A. And many others since then. We had a subsequent meeting since then. At the conclusion of taking care of those complaints, from time to time, personnel employees of the laundry would discuss other alleged grievances, and it finally reached the point where we had to settle things as it were, and we did have one final meeting wherein they brought up matters principally on the part by the help, personnel in the laundry, matters of management rather than matters that concerned them, and they had to receive some action along those lines, they possibly were taken out of the whole institution, or laundry itself, as it were.

Q. Well, you mean complaints about the policy of operation of the laundry?

A. Yes, sir.

Q. Well, these were meetings that you had with the Superintendent, or with the people in the laundry?

A. We had practically, I think I had twenty-four women up here at one time, and I told them rather bluntly what they could do and what they couldn't do, and what was expected of them.

Q. Do you have any complaints about brutality in the laundry?

A. Well, I would say it was mistreatment, that was the language used, with reference to a cookie incident, that is what this referred to it as, and after listening to these ladies, named this one and only specific incident, I subsequently talked and discussed the matter with Mr. "Bastrom", is it?

Q. Mr. Batson. And what was your conversation with Mr. Batson?

A. Well, I talked generally, I reported to -- I reported to him what had occurred at this last meeting.

Q. First of all, could you tell us where this conversation took place?

A. In the laundry, in his office, and throughout the area of the laundry.

Q. You were walking around during the conversation?

A. Yes. In order to explain and answer my questions, and enlighten me, we had to walk about the area.

Q. And do you remember approximately when this conversation occurred?

A. This is possibly in the end of June, or the very early part of July of this year.

Q. All right, go ahead and tell us what the conversation was?

A. I informed this Supervisor of the alleged grievances that these women had offered at this recent meeting, and I informed him of what recommendations and advice I gave to these people. Then we got down to the specific instance of this cookie incident, and I informed him that they had told me and the committee of this cookie

incident, and at that time these employees were rather perturbed and deemed this incident to be a mistreatment of patients.

He explained to me what he had done to this patient. He said that he was trying to keep the patient away from some room where there was some food, and away from a room which the employees used as a lounge, and the patient became perturbed, and using his own phraseology, "he choked him".

Q. Go ahead.

A. Well now, I do not want to -- I do not want to impress this committee or the press, or any employees here with something that would sound brutal when I say "he choked him." We in our service at times do have to restrain inmates, we call them and possibly at times it is the most humane and the quickest way of accomplishing the mission.

Understanding what he referred to was choking, I went a little bit further and I says, "Well, are you somewhat rougher than that? Do you go further? Do you rough them up? Knock them down, and one thing and another?" To which he replied, "No."

Q. Did Mr. Batson indicate at all that Fred Fox had lost consciousness?

A. He said that Fred Fox dropped to the floor.

Q. Would you tell us the rest of the conversation, please?

A. In probing or endeavoring possibly to counsel this Supervisor, we became rather intimate. We both have about twenty-two or twenty-three years of State service in institutions, and I was trying to prevail upon this Supervisor, if possible, to follow the philos-

ophy that we have now in the State of California on care and treatment to both patients and inmates.

I tried to convey to him that possibly there would be a better or a more cordial relationship between this Supervisor and those working under him, if he used more honey than vinegar.

Now, it is my impression that this Supervisor is perhaps not what we refer to as a polished gentleman, among perhaps some of us older people, we use the word "damn" more frequently than you do, but I don't believe that he at any time directly swore at an employee. He might have said, and he admitted this, that he might have said, "damn it, why isn't this done this way?" or something like that, but he tried to convey to me that it was not directed personally to hurt or offend some of his employees.

He did make one statement that was brought out in the other committee hearing while we were talking along the lines of care and treatment, that, "I am noted here in the institution because I have coined the following phrase, talking of patients, 'their heads are not screwed on'."

Q. Did he say that that was referring to some conduct of his, or an adjective upon his patient?

A. If I made a statement, or if I answer that question I would only be expressing my opinion, sir.

Q. Well, did he explain it any further in mentioning that?

A. He explained it in this light, he has many patients assigned to him in the laundry. He has production, he has a mission to accomplish, he is pressed, and many patients are sent to him possibly

through no one's fault, or a classification committee, have those committees that assign patients down there, must keep the laundry going, and invariably many of those patients are not capable of doing the work. Patients do become confused in the laundry, and as this Supervisor said, just about the time he has some good hands, patients who can handle things pretty well, why they are reassigned somewhere else.

My observation was that this Supervisor certainly had a job on his hands, he possibly was a hard task-master, but I would say maybe that makes him a good Supervisor, on the State service.

Q. After you had these meetings with the employees, and with Mr. Batson, did you get any adjustment of conditions in the laundry with regard to the complaints that had been made?

A. I did not understand the last part of the question?

Q. I want to know if there was any change in the conditions at the laundry with regard to these complaints?

A. Oh, indeed, yes, indeed yes, my impression, my impression is that both the Supervisor and all the Supervisors, and everyone employed in the laundry now is very happy. Working conditions certainly improved, everything that the administration could do down there, they have removed all the obstacles and everything that contributes to the good job satisfaction.

Q. Had any more complaints?

A. No, sir.

CHAIRMAN ALLEN: Mr. Lanterman.

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. Mr. Bezore, I am curious about this phrase.

A. About what?

Q. About the phrase, "their heads are not screwed on."

A. If I commented on that, sir, I would only be stating an opinion. In justice to the Supervisor, I will express my opinion but it is merely an opinion. I do not want it to judge the Supervisor on the bare statement itself.

Q. It is rather a unique phrase. I wonder what it had relation to, mental capacity, or what?

A. Well, I will explain strictly my opinion. We hear the expression, "I will knock your block off, it is not nailed on." My opinion is that this reputation around here that he coined, "I will knock your block off," or "I will unscrew your head, because it isn't screwed on."

Q. Then it was more or less of a colloquial phrase of a sort that was typical of the man?

A. As I said, he is not a polished gentleman. He is a good old rough old-timer.

Q. He had a job to do?

A. He has got a job to do, and certainly under many adverse conditions, with ever so many women there, with ever so many patients there, and with a production line to meet.

Q. As far as I am concerned, I don't blame him for using the term "damn". In fact, I used it this morning for much less provocation.

A. I have said it to my subordinates and I hope they have not

been offended. I think some of them love me for it at times.

ASSEMBLYMAN LANTERMAN: Thank you.

ASSEMBLYMAN DONAHOE: I'd like to ask one question, it doesn't pertain to the fact the problems were caused by too many women in the laundry. The question I'd like to ask is when the last hearing you had was, on the complaints from the laundry.

MR. BEZORE: Well, I said possibly at a time on or about the end of June, or very first part of July of this year.

ASSEMBLYMAN DONAHOE: Of this year?

MR. BEZORE: Yes.

CHAIRMAN ALLEN: I guess that is all. Thank you very much. For the information of the Committee, I have talked to Mr. Batson and told him that if he would write us a letter, or something like that, we would receive it, but we would not permit him to testify. We do have access to testimony about the laundry from the hearings of the Senate Committee and also a statement taken by the personnel office here.

ASSEMBLYMAN LANTERMAN: Mr. Chairman, may I ask this question, is the testimony, the transcript of the Senate Committee available at this time to this Committee?

CHAIRMAN ALLEN: No, it is not.

ASSEMBLYMAN LANTERMAN: Why is it not?

CHAIRMAN ALLEN: The information I have is that the Senate only had two copies of the transcript prepared, and they had not received those at the last inquiry we made. However, they did convey word they would permit us to examine the transcript.

ASSEMBLYMAN LANTERMAN: Is that available for investigation at this time?

CHAIRMAN ALLEN: No, I haven't seen the transcript.

ASSEMBLYMAN LANTERMAN: Our transcript is ready at this time.

CHAIRMAN ALLEN: That is correct, our transcript of our last hearing is completed.

ASSEMBLYMAN LANTERMAN: The other is not available at this time?

CHAIRMAN ALLEN: No, I haven't seen it.

ASSEMBLYMAN DONAHOE: We have a very efficient taker of the notes.

CHAIRMAN ALLEN: Mr. Bennett, please. You are representing the Attorney General's office here this morning?

MR. WILLIAM M. BENNETT: Yes, sir, I am.

CHAIRMAN ALLEN: Won't you be seated? Do you wish to be sworn?

MR. WILLIAM M. BENNETT: I am subject to the same rules as all other witnesses, sir.

WILLIAM M. BENNETT
Deputy Attorney General
San Francisco Office

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Mr. Bennett, you may recall that I sent the communication to the Attorney General, requesting that appearance be made at this

committee hearing with regard to evidence on intimidation of witnesses pertaining to the testimony at our hearing two weeks ago.

A. Yes, sir.

Q. You are familiar with that communication?

A. Yes, sir, I received it, and I read it and I replied to it I believe.

Q. Would you go ahead and present the evidence which you have on that subject?

Q. Well, Mr. Allen, I know it is your desire to arrive at the truth of this talk of intimidation, and I might make a suggestion, and I realize it is not my place to tell this committee how to make this inquiry, but I would suggest, sir, that you call Mrs. Norton and inquire of her what she told me so I couldn't be accused of misconstruing what she stated to me, and Mr. Riggs and Mr. Martino. If you don't wish to do that, I will go ahead.

Q. We will call Mrs. Norton. Now, suppose we call Mrs. Norton, if you have something further to add after she testifies, how would that be?

A. Quite agreeable with me, if that is what the committee wishes.

Q. Now are there any other witnesses concerning which you have any evidence of intimidation?

A. Well, sir, I'd like to read to you a report prepared by the office of the Attorney General, and I am reading this to you perhaps to explain to you the predicament the office sometimes finds itself in, as between these two committees, each investigating the same subject matter, presumably toward the same end.

That you will recall, sir, that you asked Mr. Joseph Martino to appear before your committee in San Francisco upon Monday, that request was made known to the office of Attorney General by Mr. Du Vall, the same gentleman who is seated behind you.

He came to our office, and he was told Mr. Martino would not be available. Mr. Martino, in fact, had been already summoned to the Alan Short committee. Mr. Du Vall then stated to a representative of the Attorney General's office that, I am going to quote now, --

Q. Were you present at that time?

A. No, sir, I wasn't present, but I have a record regularly kept by the office of the Attorney General, and if it is your wish to have Mr. Joe E. Schoales, who heard this statement by Mr. Du Vall, I will be quite happy to obtain him for you.

Q. Mr. Bennett, we don't want to get into talk about who said what.

A. We feel, Mr. Allen, it is rather important here as to who said what, and if the committee has the time, I have the time to read the statement to the committee, because we feel that there was a bit --

CHAIRMAN ALLEN: This is not a statement made in your presence?

A. It was not a statement made in my presence, a statement made -- Mr. Du Vall was there, we could ask him about it, and if I could continue, sir --

Q. All right, go ahead.

A. Mr. Du Vall stated that, "the Senate no doubt would be

paying Mr. Martino's expenses for a week, but that the Assembly Ways and Means Committee might have something to say about his expenses next year, pointing out that six members of the Allen committee are also members of the Assembly Ways and Means Committee, and that no appropriation can get through the Assembly without first obtaining the approval of the Ways and Means Committee."

Now if that was authorized by Mr. Du Vall, we'd like to know at this time, if our budget is going to be stricken unduly, or in any manner, because we can't have Mr. Martino in two places at once.

Q. Mr. Bennett, you are getting into something that has nothing whatever to do with the subject matter of this committee this morning. Now, I asked you the question, do you have any other witness concerning which you have evidence that the witness was intimidated?

A. Yes, sir, I have myself, I have Mr. Martino, I have Mr. Riggs, and there is a gentleman from the personnel board who told me this morning that he talked to Mrs. Norton who stated to him that she felt that she had been intimidated by Mr. Du Vall; and that if you want Mrs. Norton to proceed, or for me to proceed, if you will express your wish, I will be happy to do so.

Q. I intend to call Mrs. Norton, if she is present in the room. A newspaper story that came out from the Associated Press, I think from other services about September 25th, said that you had two witnesses who were told in advance if they repeated what they told the investigator, they would be fired. Who is the other witness?

A. Well now, Mr. Allen, as you realize, there is not only an interdependence of the departments of government one upon the other,

but there is an independence, and we will discuss Mrs. Norton here this morning, and we will discuss Mrs. Chisholm, and I am debating in my mind whether to confront you with the fact of another witness who was interrogated for three hours before she told us certain things she heard, because the woman is in fear of her position here.

Q. You are talking about --

A. We don't propose to parade before this committee things that are presently under investigation for the type of treatment we consider them to be getting. We are more impressed here by the question that is not asked, rather than the question that is asked, and --

Q. I will ask you a question, you haven't answered it. Who is the other witness that was intimidated?

A. Sir, that is a matter under investigation, and I will stand on the rights of the Department of Justice, and of the position of the Attorney General's office in the Executive Branch of Government, and I will decline to reveal it to you at this time, but the name will be revealed ultimately, depending upon the results of our investigation. Now, I will be happy to proceed with Mrs. Norton, if you want to hear it.

Q. Mr. Bennett, I will read to you from a newspaper clipping and this is the only information I have about what you have. This is quoting Attorney General Brown. "I have information the Attorney General declared that at least two witnesses before Allen's committee were told in advance, if they repeated what they told my investigator they would be fired." This was published Tuesday, September 25th. Are you telling me there are two witnesses who are intimidated?

A. Sir, I think I have declared my position upon that, if you will listen to the manner in which we finally extracted from Mrs. Norton the fact she considered herself to have been intimidated, I think you will realize the difficulty in presenting to the committee at this time the evidence as to the other witness.

Q. You have evidence only on one witness?

A. No, sir, I am not going to discuss it now. These things are matters under investigation, and we don't investigate cases in public before committees as you well know.

Q. Well, Mr. Bennett, talking about an announcement that was made to the press, are you telling us today it is still confidential?

A. Yes, sir, I am because if you can disclose to me from that press announcement the names of the witnesses, and how and what manner they were intimidated, I will consider it to be less than confidential, and glad to disclose it. There was no violation of any confidence in that announcement.

Q. For the record, your objection is overruled. Do you still refuse to answer?

A. Yes, sir, I must.

Q. All right. Mrs. Norton, would you come forward, please.

A. May I ask you this, Mr. Allen?

Q. Yes.

A. You are going to recall me I presume, to testify?

Q. We will receive any evidence you care to present.

A. I will present it now then.

Q. Pardon?

A. I will present it now then, if that is your wish.

Q. All right.

A. Mr. Chairman, and Mr. Lanterman, and Miss Donahoe, I came to Modesto on September 27th, 1956, and commenced an interview with Mrs. Constance Norton in her office here at Modesto State Hospital. We were here for the specific purpose to determine what, if any, consistencies there were between the testimony she gave before this committee at its last session here, and her interview with Mr. Joseph Martino, as it was reported by him in his report. And she told us that her testimony before this committee and the way she was reported in Mr. Martino's report were substantially correct, and in agreement, and she then typed out a typewritten statement of the differences which existed between the testimony she gave before this committee and her interview with Mr. Martino, as he reported.

We then inquired of her whether or not she had been intimidated or threatened in any manner before she made her appearance before this committee, and Mrs. Norton was reluctant at that point to discuss it. Her conduct indicated that she wanted to conclude the interview. And present at that interview, with me, were Mr. Riggs of the Department of Justice, and Mr. Joseph Martino.

I made it known to Mrs. Norton that to us the matter was rather important and we must have discussed whether or not she'd talk to us about it for ten or fifteen minutes, but finally when I pointed out to her she was a leader here and if she wouldn't cooperate then possibly no one else would, she had a certain duty, that she did discuss it with us.

And I went about it in question and answer form, as I recall, and I said, well, did anybody talk to you before you testified before this so-called Bruce Allen committee, and she said, yes, Dr. Du Vall talked to me, and then she said, and they talked to me again in my office and Dr. Du Vall and Assemblyman Bruce Allen were present, and they went over the report, she said.

She also said that at one point in the report she was pointing out certain inadequacies or deficiencies in the duties as she saw them on the part of Dr. Williams, the then Superintendent here, and it was at that time and point she stated to us that Mr. Du Vall stated to her that she had no right to criticize the Superintendent, that if she persisted in that talk before the committee, it would mean her resignation.

Now I will be frank to state that Mrs. Norton says she couldn't recall exactly whether it was also stated to her by Mr. Du Vall that it would mean her job, too. But I said to her, did you consider that to be a threat or intimidation to you? And she said later on in the interview, yes, she construed it as an attempt at intimidation.

Now that was an interview we asked Mrs. Norton if she'd reduce that to writing. We were unable to obtain a written statement from her. We asked her, I think, twice or three times, and still could not obtain it from her. Mrs. Norton, I think, finally consulted a lawyer, but that is what Mrs. Norton stated in my presence at this hospital on September 27th, 1956, and she concluded with these words, "I was pressured."

The same thing was heard by Mr. Riggs who will testify, same

thing was heard by Mr. Martino, who will testify, and the name of the person over here -- and the man from the State Personnel Board heard the same thing later.

MR. STEPHENS: You are not talking about me. C.S.E.A.

THE WITNESS: I mean C.S.E.A. I am sorry. Pardon me.

CHAIRMAN ALLEN: Q. Go ahead.

A. That is the extent of the conversation with Mrs. Norton. There were other agents at other conversations with her later on, which the same thing was said, Mr. Martino and Mr. Riggs.

I will also tell you gentlemen on that same day, this relates to Mrs. Chisholm, we asked her to come to us, and she did, and it was explained to her she was free to leave at any time she wished, and we told her we wanted to go over her testimony before this committee and her interview with Mr. Martino as he reported it in his report. And Mrs. Chisholm refused to discuss the matter at all, and I pointed out to her she was in a rather key position here, and that we expected cooperation of her. We had made known to her who we were. I think she already knew that. Ultimately she elected to leave the room. She would not discuss the report.

Now, so far as Mrs. Chisholm is concerned, and so far as cooperation is concerned, I would like to point out to this committee that Mr. Jensen of the Department of Justice interviewed Mrs. Chisholm before she testified before this committee, and after she was interviewed by Mr. Joseph Martino, and he interviewed her for the specific purpose of showing to her the report of Mr. Martino, the same report that is in exhibit before this committee, for the specific

purpose of giving her an opportunity to correct it, to amend it, or to delete it or change it in any way she saw fit. And Mr. Jensen will testify that they sat in the room and the report was before her and she made no material or significant changes whatsoever. His report will be presented to the committee.

Q. Do you have Mr. Jensen here?

A. Yes, he is here, Mr. Allen.

Q. All right.

A. And we feel that there is quite an important thing at stake here, either Mrs. Chisholm is telling the truth, when she talks to Mr. Martino, or she is telling the truth when she tells this committee she was not accurately reported, and she is not telling the truth when she talks to Mr. Jensen.

Q. Or Mr. Martino was not telling the truth.

A. That is correct, sir, that is quite correct. There is a great difference here. Somebody is lying about it.

Q. All right. We got that much out. Have you finished your statement? How long did this interview with Mrs. Chisholm last?

A. The interview with Mrs. Chisholm, I am very poor on time as far as minutes go, I would say it didn't last more than twenty or thirty minutes. I may be mistaken. I don't know.

Q. Could it have been two or three hours?

A. Not to my knowledge, no, sir.

Q. Did you make any threats to Mrs. Chisholm?

A. No, we did not. I will tell you exactly what we said.

Q. All right.

A. It was a little bit startling to me from the office of the Attorney General up here to talk to a State employee, and head nurse at the institution, to find she would not discuss with us anything, anything at all. And we made it known to her that we consider this to be a matter of serious import, and despite that fact, she would just not talk to us.

We weren't telling her how to talk, we were just asking her to talk, and she elected to leave the room. I pointed out to her that we had run into a complete wall of silence in many instances here, and unless we could break through the wall of silence, and get some cooperation with the leaders here, we could expect none from the lesser employees. Despite that fact, she elected to leave the room. She would not discuss the Martino report at all.

Now, it seems to me, gentlemen, that a great change took place in that witness between the time she was interviewed by Mr. Martino--

Q. Were you present when she was interviewed by Mr. Martino?

A. No, sir, I was not, but we have confidence in Mr. Martino who is trained to investigate and to listen to what he hears, and report it accurately, and we don't have our services questioned ordinarily, either by the courts or by committees. We sometime serve other groups or bodies.

Q. Mr. Bennett, did you discuss Mr. Martino's report with him prior to the time it was released to the press?

A. Yes, sir, I did.

Q. Did you ask him whether he had interviewed the Confidential Informants?

A. No, sir, our discussion was most brief, it was in the hall in the State Building in San Francisco.

Q. Do you have a practice of questioning your investigators regarding the work they do to see whether or not it is thorough?

A. If I am assigned to the case, yes, sir, I always do, and I usually interview all the witnesses myself. I like to win my cases.

Q. Were you assigned to this case before the report was released to the press?

A. No, sir, I was not.

Q. Do you know whether anybody in your office interrogated Mr. Martino on his methods of investigation?

A. To my knowledge, he worked on the report in the C. I. & I. Bureau under direction of Mr. George Brereton, and Harold Gillette.

Q. Mr. Bennett, we would like to hear from Mrs. Norton at this time, and we will give you the opportunity when she is, and the other witnesses are through, to give us anything further that you wish to add.

A. All right, thank you, Mr. Allen.

CHAIRMAN ALLEN: Mrs. Norton, would you come forward, please.

MR. CARLOS J. BADGER: May I make a statement?

CHAIRMAN ALLEN: Your name, sir?

MR. CARLOS J. BADGER: Carlos J. Badger, Attorney in Modesto and representing Mrs. Norton personally. Mr. Riggs requested a signed statement from Mrs. Norton, and asked she furnish it this morning. We attempted to get it ready before the hearing, we were not able to

do so, and I am glad to deliver it to them at this time.

CHAIRMAN ALLEN: Is there a copy you could give us?

MR. BADGER: Yes.

CHAIRMAN ALLEN: Mr. Badger, I understand you are an attorney?

MR. BADGER: Yes, sir.

CHAIRMAN ALLEN: Office in Modesto?

MR. BADGER: Yes, sir.

CHAIRMAN ALLEN: Would you be seated up there? Mrs. Norton, would you stand, please?

CONSTANCE NORTON
Supervising Psychiatric Social Worker
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Mrs. Norton, will you tell us in your own words just what happened in this incident where Dr. Du Vall said something to you about losing your job?

A. Well, it is substantially the same as I told the committee that Friday morning. The three of us were in my office and you and I were discussing the two preceding paragraphs of the statement in Mr. Martino's report about inadequacy of numbers of staff, and you and I were discussing methods of correcting it, of recruitment, and of changing -- what changes could be made that would improve the release of patients from the hospital for which I feel that our Department is pretty much responsible.

You and I were sort of going on with that conversation, and Mr. Du Vall went on with the next paragraph, which had to do with my criticism of the Superintendent, and he said, who was I to criticize Dr. Williams? Was I the Director of the Department of Mental Hygiene or what right had I to criticize the Superintendent?

And I was a little taken back, because I had been asked to make statements of how I felt about the situation, where I felt the deficiencies lay, and to my ability, which isn't too high, I will admit, I had made the best.

And then Dr. Du Vall went on to say that if I persisted in this -- in these charges, I think that was the word, although I am not accurate in my memory, that I should be prepared to -- for a discharge or for resignation, and I don't know which term he used, and neither you nor I, Mr. Allen, paid much attention to it, Mr. Allen, at the time, because we were involved in a rather enthusiastic discussion of what changes we could make to improve the release of patients from the hospital.

Q. Did you make any reply to the statement Dr. Du Vall made at that point?

A. I don't remember that I did. In fact, I was not giving him my full attention, which I should have done.

Q. Do you remember whether or not I made any statement about it?

A. No, you did not. In fact, you were engrossed I was sure as I was in this rather, I suppose I am over enthusiastic, but rather promising program of the change that we could make to better the institution.

Q. Did a statement of Dr. Du Vall's influence your testimony at the hearing?

A. As far as I can determine, it did not.

Q. This meeting with Dr. Du Vall where he made this statement, I take it was prior to the hearing before this committee?

A. Yes, I think if I remember rightly, it was on Monday evening. The testimony I gave was on Wednesday, although I didn't keep a diary record, and I am not too sure.

Q. Have you had an opportunity to read the transcript of the testimony you gave at this committee's hearing?

A. Yes, I have Mr. Allen.

Q. Do you have any changes or corrections you would like to make in that?

A. No, I think not.

Q. How long, or when were you interviewed by the Attorney General's people?

A. Last Friday morning I think it was, I think it was the 25th.

Q. And how long -- how long did that interview last?

A. I cannot say, Mr. Allen. It went on for quite a while because I was writing up the variances, there are I think seven or eight discrepancies between Mr. Martino's report and what I had remembered I had said, or had intended to convey.

Q. Is there anything else you'd like to tell us on this subject of intimidation?

A. No, I think not.

CHAIRMAN ALLEN: Questions?

ASSEMBLYMAN LANTERMAN: Yes, I'd like to ask a question.

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. Miss Norton, on our previous hearing, I am going to read from the testimony at that time during the interview with you.

CHAIRMAN ALLEN: Would you give her the page?

ASSEMBLYMAN LANTERMAN: Q. The page is page 48, beginning on page 48 of the transcript. The reason I am asking this question and the reason I am reading this section to you to refresh your memory is to try and connect the meaning of your statement that you felt you had been pressured.

And on page 48, at the bottom, you said in answer to Mr. Allen's statement, "Is there anything else that you would like to say?"

And your answer was: "There is a good deal I would like to say, but I don't want to say it here."

The question was: "Well, the committee would be glad to hear anything that you have to add. Our investigation will undoubtedly continue, and our consultant will be in touch with you."

Your answer: "Well, Mr. Allen, I am very self-conscious up here and I don't think I am doing a very good job."

The question: "You are doing all right. Do the members of the committee have questions?"

And this statement that I made, I want to call particular attention to, and this is my quote:

"ASSEMBLYMAN LANTERMAN: Well, I would like to reassure Mrs. Norton that this is what you might call a committee seeking some facts, not trying to get anything that will be harmful to anyone.

All we want to do is to help the mental hospitals, where they need help. That is the reputation of this committee, and it is a reputation of our interests, and you should feel reassured that any statement that you might care to make before us would be received in a friendly manner, and if there is anything that you might have that you are reticent to say, that after this reassurance from a member of the committee, you feel like you would like to say, why go ahead and say it."

"MRS. NORTON: Well, I am afraid I have never been known for my reticence, but I would like to put in a plug for more social workers."

And that was the end. The point I'd like to bring out is, Mrs. Norton, with the full intent of this committee through its chairman, through the member that just spoke, myself, if there had been any feeling in your mind that we had pressured through any representative of the committee in any undue manner in order to get testimony, wouldn't it have been very proper at that time to have made a statement to this committee that that is the way you felt?

A. Mr. Lanterman, what I had in mind is the pitch that all of the social workers of the State make for increased family-care allowance to the caretakers, and the social service program. I wasn't particularly thinking of the committee. I was thinking of the needs of the patients, and of the hospitals, and of the Bureau of Social Work, of the Department as a whole, and I didn't think that I needed to take the time of the committee to go over budget matters and personnel.

I would like to take this opportunity to put before the committee

I feel I have failed to hold up the social service department in not putting in a plug for raising the family-care allowance from \$70 a month to at least \$100 a month, for patient care with the increased cost of living, we are not getting the quality of caretakers that we would get, and so on, but having to do with the hassle that is on here, I don't think I have anything further to say.

Q. Well, the point that I wanted to bring out, we will keep as a matter of record, your recommendation, but the point I wanted to make was the committee had expressed itself very reasonably I thought to you to encourage you to give a full expression of your opinion and we did not seem to get the impression from you that you had felt that you had been pressured in your interview with the chairman and Dr. Du Vall.

A. The place I had felt pressured was by the Attorney General's committee.

Q. You what? You felt that what?

A. The place I had felt pressured was in the Attorney General's committee as he said, I was reluctant, Mr. Lanterman, to make these-- to make these statements.

Q. You were reluctant to make them to Mr. Martino?

A. I was reluctant to make them to Mr. Bennett and to Mr. Martino, and to Mr. Riggs.

Q. I see.

A. On September 25th.

Q. Well now, in that respect, did you feel that you were pressured then to make any kind of an observation?

A. You mean, which time are we talking about?

Q. At the time Mr. Bennett, Mr. Riggs, and Mr. Martino interviewed you?

A. Yes, and I told them I was, and I told them I would tell the press that, and I thought I would use the term "bulldoze".

Q. Did the nature in which you felt pressured and bulldozed, as you have just stated, did you feel the same way about your interview with Mr. Allen and Dr. Du Vall, prior to your testimony before our hearing here?

A. No, because Mr. Du Vall said, didn't make much impression upon me, Mr. Lanterman.

Q. I notice in your conversation here you have just said that you were not giving Dr. Du Vall your full attention at the time you were enthusiastic in your conversation with the chairman, and that a passing remark that he may have made didn't register particularly as of importance to you at the time.

A. Didn't register until that evening.

Q. You remember then exactly the words that the Doctor used, or was it a recollection?

A. No, it was a recollection, and it was that if I continued to criticize the Superintendent and the administration for their responsibilities about things that that would -- and I can't remember how he said it, and I didn't know enough to know what he meant by it.

Q. Perhaps he was referring to a line of command or something of that kind, that any observations further in that relationship

might or might not be in order for one in your position to make that comment.

A. Well, I thought of that, Mr. Lanterman, and then I thought what is he telling me, that as a witness -- I mean, as a witness, I feel I am important, not that I am a big person, Mr. Lanterman, but I think the truth is big.

Q. That is the exact position of this committee, Mrs. Norton, and personally I am very grateful to you for your full and unrestrained expression of your feeling in all of these matters, and the only thing that I want to make sure of is that you don't recall something on the basis of an importance that you attach to it because it was in passing, and you weren't exactly sure of what he said.

A. No, I was just -- sure more of what I took to be the intent of what he said, and I shouldn't criticize the Superintendent.

Q. Well, perhaps he was indicating to you from the standpoint of procedure within an institution that there are levels of more appropriate criticism than perhaps from your level to the next level above, and so on. That might have been the case?

A. Except this is America, Mr. Lanterman, if any of us want to criticize President Eisenhower --

Q. I am quite sure there are plenty of people doing that. (Laughter) I also feel that the President has very broad shoulders and his record takes care of that. Now, we will go on into your answer. Your remembrance, your remembrance of Dr. Du Vall's conduct was by recollection afterwards?

A. Yes, it was.

Q. And at the time you were not paying too much attention to what he said?

A. That is true, Mr. Lanterman.

Q. And therefore it was a feeling more than an actual knowledge of words themselves?

A. Well, I remember that he said, who was I to criticize and I don't remember whether it was Dr. Williams or the administration. Was I the Director of the Department or the Department of Mental Hygiene, and there was a third person.

Q. Line of command?

A. I can't remember.

Q. There must be someone from Dr. Rappaport on down as the Director, and then Dr. Williams, the Director of the Institution.

A. No, he said who was I, was I the Director or the Department of Mental Hygiene or someone else to criticize the administration and my thought was, I am me, I am an American citizen. If I am in a situation which I find to be deficient, I should criticize it. I should bring it to the attention -- I should do something about it.

Q. But you are now more impressed in any event, that you were bulldozed recently by the Attorney General's office, is that true?

A. That was more or less facetious, Mr. Lanterman, and I told -- I told Mr. Bennett and Mr. Riggs, and Mr. Martino that that was what I felt they were doing, and if anybody was talking about pressure, let's get it straight who was pressuring.

ASSEMBLYMAN LANTERMAN: Mr. Chairman, go ahead.

CHAIRMAN ALLEN: Mrs. Norton, we have some more questions.

We will take a noon recess at this point and start again at 1:30.

ASSEMBLYMAN DONAHOE: Let me ask one question. I want to be certain this is clarified in my mind. When the Confidential Informants theoretically spoke to Mr. Martino, it was not under oath, the statements were not signed, is that correct?

CHAIRMAN ALLEN: Mr. Martino testified that he got no signed statements from the witness.

ASSEMBLYMAN DONAHOE: Presumably the witness was not under oath. Inasmuch as we do not have testimony of the Short Committee, as a member of the so-called Allen Committee, these people have testified to us under oath, and I want to make a statement for the record that I have as much inherent belief in the integrity and honesty of everyone as I have in people who are classified as attorneys at whatever level they may be attorneys, period.

ASSEMBLYMAN LANTERMAN: Mr. Chairman, I'd like to ask a question. I think it is appropriate that a member of the staff here on oath before this committee, if she was just asked a question by the Deputy Attorney General --

MR. WILLIAM BENNETT: Yes, sir, I was. May I interject!

ASSEMBLYMAN LANTERMAN: I am asking the witness.

MR. WILLIAM BENNETT: I can help the committee get to the truth of it, offering my services.

ASSEMBLYMAN LANTERMAN: I am asking the witness, Mr. Bennett, what the question was.

CHAIRMAN ALLEN: Give everybody an opportunity, one at a time.

MR. WILLIAM BENNETT: There is a way of going about it, by question and answer form.

MRS. CONSTANCE NORTON: I didn't hear him too well, but at least I told him the truth. I don't know if that is what Mr. Bennett said, or not.

ASSEMBLYMAN LANTERMAN: At least, was that a statement or question?

MRS. CONSTANCE NORTON: I don't know. I didn't hear him. I was not listening.

ASSEMBLYMAN LANTERMAN: Your attention was diverted by the conversation?

MRS. CONSTANCE NORTON: So I think Mr. Bennett could more--

ASSEMBLYMAN LANTERMAN: Just curiosity on my part. I hope you weren't being intimidated. (Laughter)

CHAIRMAN ALLEN: Take a noon recess and come back at 1:30.

ASSEMBLYMAN LANTERMAN: That was a facetious remark.

MRS. CONSTANCE NORTON: I would like to go on record, I don't think it is an easy job.

... Whereupon the hearing was duly recessed at 12:20 P.M. ...

... The afternoon session of the public hearing of the Assembly Interim Committee on Social Welfare, Subcommittee on Conditions in Mental Hospitals, was convened at 1:40 P.M., Tuesday, October 2, 1956, at the Modesto State Hospital, Modesto, California, Assemblyman Bruce F. Allen, Chairman, presiding ...

CHAIRMAN ALLEN: Will the meeting come to order, please.
Dr. Chisholm, please. Dr. Chisholm, raise your right hand, please.

COLIN B. CHISHOLM, M.D.
Physician and Surgeon 3
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Dr. Chisholm, you were a witness before this committee at a hearing on September 19th of this year in this room. Do you recall that?

A. Yes, sir.

Q. You were also named as one of the Confidential Informants in the Attorney General's report. Now prior to the time you testified before this committee on September 19th, had anyone told you that you would be fired or lose your job, if you did not testify in a certain way?

A. No, sir.

CHAIRMAN ALLEN: That is all. Thank you. Is Amanda Whitaker present? Come forward, please

AMANDA VIOLET WHITAKER
Psychiatric Technician
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Is that Mrs. Whitaker?

A. That is right.

Q. Mrs. Whitaker, do you recall you testified before this committee on September 19th, 1956?

A. Would you state that again, please?

Q. Do you recall testifying before this committee in this room on September 19th?

A. That is right.

Q. And that you are one of the persons named in the Attorney General's report as a Confidential Informant?

A. That is right.

Q. Prior to the time you testified here on September 19th, did anyone tell you that you would lose your job if you did not testify in a certain way?

A. No, sir, I was asked if I would be afraid that I might lose my job, and I said no, I was not, and I think that I have testified under oath here before, and I don't care to take from or add to what I stated before.

Q. You say somebody asked you if you were afraid you might lose your job?

A. Yes.

Q. Do you know who that was?

A. Well, it was during the conversation, and it was Dr. Du Vall because I questioned whether I should come without a subpoena.

Q. Yes?

A. And he said that it wasn't customary, and I said, well I didn't usually come to this sort of thing unless I was subpoenaed, but after seeing the statement and seeing how that I was supposed to have made, and seeing how either words were added or some were subtracted to make a different meaning of what my actual statement was, I decided to testify without subpoena. However, if you care to know what that is, you can read my testimony.

Q. Now, the statement you refer to, you mean the Attorney General's report?

A. No, the statement that I made here under oath.

Q. Well, I am not clear now. We have reported the Attorney General's report, and then you came in and testified. First of all, are there any corrections or changes you feel you should make in your testimony you gave before the committee?

A. No, what I made was -- I stand by that, I don't want to change it whatsoever.

Q. Mrs. Peterson, do you have Exhibit No. 1 here?

MRS. PETERSON: Yes, I have.

CHAIRMAN ALLEN: Q. Would you show it to Mrs. Whitaker, please. Now, the document you have in front of your Mrs. Whitaker is the Attorney General's report that quotes you as Informant #13.

A. Which page, please?

Q. Page 23.

A. I think I have it.

Q. Page 23, you read that before?

A. Yes.

Q. And you mentioned a few minutes ago that there was a statement that didn't quote you correctly, is that the one you were referring to?

A. This statement is not correct.

Q. All right.

A. However, this was not the statement that I made when I was under oath before.

Q. All right. Now what we want to know is, did anybody tell you that you would be fired or lose your job if you didn't testify in a certain way?

A. No, Dr. Du Vall merely asked me if I was afraid I would lose my job, and I said no, I was not.

Q. All right.

DR. DU VALL: Ask her under what conditions I asked her. She raised the question of the subpoena.

CHAIRMAN ALLEN: She said that. That is all. Thank you very much. Venia Palmer. Mary Webb. Dalpha Lane. Raise your right hand.

DALPHA LANE
Psychiatric Technician
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Is that Miss or Mrs. Lane?

A. Mrs. Lane.

Q. Mrs. Lane, you recall you testified before this committee in September 19th of this year?

A. Somewhere about that time.

Q. Are there any changes or corrections or additions you would like to make in the testimony that you gave before?

A. Well, I gave my testimony, the way I stand, Mr. Martino and a couple of gentlemen came back and they checked off what I said that corresponded and then Mr. Du Vall came and interviewed me and what he had was definitely not what I had said, and I told him so, and I said, "Let me tell you what I did say." He waved his hand and said, "I am not interested."

Q. I am sorry, I didn't hear?

A. Pardon?

Q. I am sorry, I missed the last few words.

A. I said what Mr. Du Vall brought I hadn't said, and I told him it wasn't correct, and I said, "Let me tell you what I did say." And he waved his hand aside and said, "I am not interested."

Q. Dr. Du Vall said that?

A. This gentleman over here, Du Vall, is that his name?

Q. That is right. All right. Now, will you look at page 22 of that little book right in front of you? Have you found it?

A. I have page 22.

Q. At the bottom paragraph it says, "Confidential Informant

#9", now you have been identified as Confidential Informant 9. Have you read this part before?

A. Something to that effect, but I have given my testimony three times, twice, and it was correct.

Q. I want to know which is correct, is that statement correct?

A. This part about the little Japanese lady, part of this is incorrect. It says that I was acquainted with the incident regarding the death of a Japanese patient, Mrs. Sakaguchi. I was not present when it happened. I came on while she was still lying in the nude on the floor. I was not present when it happened.

Q. Now, when did you first see that statement right there?

A. I think Mr. Du Vall brought this -- this is the one he had.

Q. Did you tell Dr. Du Vall that there was some corrections to make in that?

A. I certainly did. I said I hadn't said those things because I wasn't even on duty.

Q. Well then, you remember that you came and testified before this committee?

A. That is right.

Q. In this room?

A. That is right.

Q. All right. Now --

A. And I told him the same thing here.

Q. I will show you the transcript of your testimony. Mrs. Peterson, will you hand this to her, starting at the bottom of page 96. Starting at the bottom of the page there, see where it

says Dalpha Lane? Will you read that to yourself, down through there and next page. Do you remember saying those things?

A. Well, just a moment here, I did not report she had been placed in the shower. I said that was on the books. It was put on the books that she had been found soiled by two technicians and had been put in the shower and had been found collapsed. I said that was on the books. I didn't say that, because I wasn't there.

Q. What page are you reading from?

A. I am on page 98, the next page after I started in. Oh, I skipped -- no I didn't.

Q. Pardon?

A. On page 98, at the top of the page.

Q. Top part of the page. All right. That starts on the page before that, page 97. Answer: "O.K. In the case of the little Japanese lady, said," (then reading from the other book), "she stated had been found soiled and had been placed in a shower by two of the attendants at the hospital" -- "I did not say that because I wasn't on duty at that time".

A. That is right.

Q. Is that correct?

A. Correct.

Q. All right. Do you remember testifying before this committee and saying these things that are in this transcript?

A. That I was not on duty at the time, that is right.

Q. Is there anything that you said to this committee before that was wrong, that you'd like to correct or add to?

A. Well, I don't recall anything. Most that I said before the committee was just denying what Mr. Du Vall had with him, the things that he had with him, because I couldn't possibly have made those statements without telling a lie, because I wasn't on duty when these other things took place.

Q. All right. Now, the statements you say are not correct, are they in this other book that is in front of you, the Attorney General's report?

A. About the shower?

Q. No, just a minute. Refer to the other book, Exhibit No. 1, are you telling us one set of statements is not correct, and another set is? I just want to find out which set is not correct.

A. "She had also learned from patient Mrs. Blewett that the latter had had her arm broken, but upon inquiry by Confidential Informant #9, refused to disclose the identity of the employee who had broken her arm." That is right. This where I said Mrs. Sakaguchi "had been found soiled and had been placed in a shower" -- I didn't say that, because I wasn't there to know.

Q. Is that the statement Dr. Du Vall showed you?

A. No, he said he wasn't interested, and he wouldn't let me tell it. I wanted to tell him what I said.

Q. All right. All right. Did he show you this statement, Dr. Du Vall?

A. Yes.

Q. Did Dr. Du Vall have it with him when you talked to him?

A. Yes, he had one of these things with him.

Q. Had you seen it before?

A. No, I had not.

Q. All right. Now did anybody tell you that if you didn't give the right testimony, you'd be fired?

A. No.

Q. At any time, did anybody tell you that?

A. No, not at any time.

Q. All right. Now will you put that book down for a minute, and look back at page 96 in the other one, that is a transcript and it is a reporter's record of what you testified to before this committee. Would you just take it in the back of the room and take it home with you, and if you'd read it right now, and if you have any corrections to make, why come up a little later and tell us, would you do that for us?

A. I can, but I think it is perfectly clear in my mind what I said.

Q. All right. You don't want to change anything?

A. No, I haven't anything to change as far as I can remember, I haven't anything to change.

Q. All right.

A. I tried to be honest. They said to cooperate, and that is what I tried to do.

Q. All right. Thank you very much. Take the transcript with you and do whatever you wish with it.

A. O.K.

CHAIRMAN ALLEN: Thank you very much. Edith Walk. Is

Edith Walk present? Raise your right hand, please.

EDITH WALK
Senior Psychiatric Technician
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Mrs. Walk, you remember testifying before this committee on September 19th?

A. Yes, sir.

Q. Do you have any changes or corrections you would like to make in the testimony you gave us?

A. No.

Q. Before you testified, did anybody tell you at any time that if you did not testify in a certain way you would lose your job?

A. They did not.

Q. All right. Thank you very much.

A. May I leave now? I have to go on duty at 2:35.

CHAIRMAN ALLEN: All right, thank you very much. Valena Byrum. Raise your right hand, please.

VALENA BYRUM
Psychiatric Technician
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. You remember testifying before this committee on September 19th?

A. Yes.

Q. Do you have any corrections or changes you wish to make in the testimony?

A. Nothing, other than what I made at that time.

Q. Before you testified, did anybody at any time tell you you would lose your job if you did not testify in a certain way?

A. They did not.

CHAIRMAN ALLEN: Thank you very much. Mary Webb. Is Mary Webb present? Ethel Cavanor. Is Ethel Cavanor present? Raise your right hand, please.

ETHEL CAVANOR
Assistant Superintendent of Nursing Services
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Mrs. Cavanor, do you recall testifying before this committee on September 19th?

A. Yes.

Q. Do you have any changes or corrections or additions you would like to make in your testimony?

A. No, not in my testimony.

Q. Anything else you would like to tell us?

A. Yes.

Q. Go right ahead.

A. Maybe I am old-fashioned, I thought if a witness is going to be called to testify in any of these hearings, I can't see the

necessity or even the legal -- maybe the legal, but at least not the right and wrong of having to be coached prior to testifying, something that bothered me quite a bit.

Q. All right. Did anybody coach you?

A. I was interviewed and things were said, not intimidating of the job in particular in so many words, I didn't like the manner of the approach. I didn't like the things were said. I didn't like the way they were expressed.

Q. And who are you referring to?

A. Dr. Du Vall.

Q. All right. What did he say?

A. Well, the first thing he said, I think had the most effect on me, was regarding "bug-housers". He didn't ask me a question, he rather made an exclamation, "of course, you didn't say it." I really got the idea I had to make a decision then whether I presented a very pretty testimony, or whether I was going to live with myself long after all these hearings were over with, and just how I was going to live with myself. That was the impression I got.

Q. Go ahead.

A. And several other things he brought out, I got the feeling that he was trying to frighten me a little. He would tell me very nicely that he was trying to get me "off the hook" in which I had put myself on".

Q. Go ahead. Anything more.

A. No. The errors that I pointed out, I could not testify that "Mr. Martin's" report was actually untrue. I gave that state-

ment in the beginning that the information attributed to me as Confidential Informant #5, the report was the sense of lots of things we discussed. It was worded so as not to produce a completely accurate picture and I wished to take exception to it, and that held true throughout the testimony. I was, with Dr. Du Vall's assistance, I was able to point out several errors, whether they were misinterpretations or misunderstandings, or stenographic errors in "Mr. Martini's" report, I think those are mostly what I testified to.

Q. Did you tell Dr. Du Vall these were errors or did he tell you?

A. Perhaps a little of both.

Q. Would you look at that document in front of you, please, page 16.

A. Page 16?

Q. Starting at the second paragraph, "Confidential Informant #5", did you find it?

A. Yes.

Q. That goes on through that page, and down through part of the next page, page 17. When was the first time you saw that statement about Confidential Informant #5?

A. The first time I actually saw it was when I asked for a copy of this report, and I believe Mr. Botz was the person who gave me a copy. It is not a photostatic copy. I am not -- it is a typed copy -- I don't know whether it is even a certified copy or not.

Q. Did Mr. Botz give you a copy of it?

A. I asked him for it. I wanted to after having heard "Mr. Martini" read his report, part of it for the second time, most of it for the first time, in the hearing that morning, I wanted a copy of it to read over to myself. I think in reading it over myself I have been able to pick out all these errors I testified to without Dr. Du Vall's assistance. However, he did enable me to pick them out much quicker than I did, inasmuch as that time I hadn't even read the report.

Q. Did Mr. Botz leave a copy with you?

A. I asked him if I might have a copy to look at, and he gave it to me when I left the room. I didn't see Mr. Botz to hand it back to him. I didn't want to leave it on a chair, so I kept it. Whether or not he meant for me to have it definitely, I do not know.

Q. Did you tell Mr. Botz you had any corrections to make in it?

A. I told "Mr. Martini" before that there was a couple of errors in there, in fact what he read to me, he didn't read any farther than that, that I wanted to correct it, and they were marked out, that one was marked out on the copy that Mr. Botz gave me just with a pencil.

Q. You recall the testimony you gave before this committee?

A. Yes.

Q. Was any of it wrong?

A. I don't think so.

Q. Any errors in it?

A. I haven't seen it. You did tell me I could have a copy, didn't you?

Q. The transcript has just been completed. We'd like you to take a copy and read it over. If you have any corrections to make, we'd like to have you make them. It starts on page 188.

A. After these hearings I was very much perturbed. I think I told you that when you called me to ask me if I had been intimidated and I asked you, what constituted intimidation? I was anxious to know what constituted intimidation, what would constitute influencing the witness. I mean I had my own explanation of it. I want to know more legal matters. I was most unhappy after those three days of conference. I was working nights and I spent sleepless days instead of nights. I fought with myself for two or three days to not call Mr. Brown's office in San Francisco. I didn't do it.

Q. Did anybody tell you at any time before you testified that you would be fired if you didn't testify a certain way?

A. No, those words were not used.

Q. Well, were any words like that used?

A. No, as I said, the most impression I got was when Dr. Du Vall said that read over the term "bug-houser" and didn't ask me if I said it, his remark was, "Of course, you didn't say it." I felt then I had to decide whether I wanted to present a pretty testimony or whether I wanted to testify, so I was going to live with myself here, or elsewhere, long after these committee hearings are all over with.

Q. All right. If you look on the top of page 16, in the second

paragraph there is used there the expression "bug-housers". Did you use that expression?

A. I did.

Q. When you talked to Mr. Martino?

A. I told Dr. Du Vall I couldn't get up and testify I didn't, because I had used the remark. He shrugged his shoulders as if to say, "So you did." Shrugged his shoulders as if to say, "It is your hard luck." Maybe I misinterpreted his mannerisms, I don't know. Perhaps he was really trying to help me. I would have been happier if I testified without his help.

Q. What do you mean by the term "bug-housers"?

A. I interpret "bug-housers" is an expression used to rather apply to people who adhere to the old, old methods of treatment of the mentally ill, and not able to adjust in change, and use the more modern trends of treatment, discipline of patients and various matters, and so forth.

Q. Do you feel that the employees have been here longest are all "bug-housers"?

A. Been here longest, no, I don't feel they are all "bug-housers".

Q. Do you have any new employees who are "bug-housers"?

A. Perhaps not out and out what might be classified as an old "bug-houser". I think perhaps there are some who don't accept the newer ideas too readily. I couldn't distinctly classify them as old "bug-housers".

Q. Look at the bottom of this page, page 16, let us see,

second paragraph on that page, last sentence says, "These 'bug-housers', according to Confidential Informant #5, were responsible for the transfer of former superintendent Tucker from the Modesto State Hospital." Is that true?

A. That would have to be an error. Mr. Tucker was never the superintendent, it couldn't be true.

Q. Do you feel there is any connection between the union and the "bug-housers"?

A. I prefer to think it would be coincidental, anyone I might think of myself as being a "bug-houser" might be a member of a union. There are two organizations. I think everyone can make their own choice as to which they belong to.

Q. The next paragraph there quotes you as saying, "Confidential Informant #5 stated that most of the doctors at the institution are incompetent and permit the charge technicians to actually operate the mental wards." Did you tell that to Mr. Martino?

A. No, I didn't tell that to Mr. Martino. I tried to reconstruct the conversation which both of us said. I couldn't come up with anything which he could make of that blunt remark. In the first place, if a nurse was trained twenty-five years ago, ever dared to harbor a thought like that in her mind, she most certainly would never dare to speak it, and as for the technicians, the charge technicians actually operating mental wards, I am not working on the morning shift. I wouldn't know too much about how the morning shift is operated. I work afternoons and nights.

Q. Did Mr. Martino show you a statement with this paragraph

in it?

A. He read it to me, and I told him it was not true, and I asked him to rectify it. Then he read a part of the next paragraph to me also.

Q. Now then on the next paragraph, second sentence says, "she had also heard of the use of Epsom salts and chloroform liniment on patients as punitive treatment and had been told by patients Grace Belill and Vera Hampson that such practices had been used upon them." Is that true?

A. No, that isn't true. Whether it is misunderstanding that he thought I said the patients told me, I said a technician told me. I was working nights at that time from 11:00 to 7:00, and I wouldn't go on the wards and waken the patients to ask them whether or not they had been fed Epsom salts or not. I did tell him that had been reported to me by a technician who said she had not witnessed it, said she only heard rumors from patients this had been done. There is another paragraph on that same page.

Q. The next paragraph.

A. The last, where the "ward charge had insisted and reported that the incident had happened on that day, and as a result had induced the doctor to sign a report indicating that the injury had been suffered at that time rather than thirty-six hours previously." What I told him about that was this patient was transferred, he has that part of it accurately stated. The patient had these marks and bruises on his body, the technician on the hospital ward called the ward the patient had been transferred from to find out if a

report had been turned in covering these marks and bruises that were on that patient's body. She said he told her that he had checked the patient before the patient left the ward, there was no marks and bruises on his body at that time, and he later made out a report which came in through the office and was signed by a doctor that the patient was checked before he left the ward, there were no marks and bruises on his body.

I am sure we discussed that some length, which I told him that I was -- the only part of that concerned me which I felt the patient in his condition from nursing observation had inflicted the injuries himself, the part I couldn't understand was why the technician would be concerned enough to go to the extreme of making out this report and putting it in, so this, that he put it, it happened that day is not a correct statement.

Q. What patient was that, do you remember?

A. I didn't remember his name at the time I was talking to "Mr. Martini," all I could remember of his name, he was a minister, retired minister, and his name was David or Daniel, later established his name was Perry Daniels.

Q. Page 17, the second paragraph, it says, "Confidential Informant #5 further indicated that the doctors of the institution rely too heavily upon the employees for information regarding the patients' condition." Is that correct?

A. There was some conversation which perhaps covered that inasmuch as we did discuss the terrific shortage of doctors at various times here, one time only three doctors to cover the officer of the

day duties, and I felt they wouldn't have any choice except to rely to some extent upon the information the technicians and nurses gave them, so that would be true.

Q. Is that true now?

A. No, we have more doctors now.

Q. When was this situation true here?

A. Oh, perhaps at different intervals within the last two or three years ago, I really wouldn't remember the exact dates.

Q. Did you tell Mr. Martino when it was true?

A. I don't think so. I really don't remember as to whether the time we discussed or not.

Q. Further down the same paragraph it says, "it has been brought to her attention that some of the doctors, particularly Dr. Stahr, sign many reports regarding the patients which are actually made by the attendants." Is that correct?

A. I said that Dr. Stahr was really a brilliant psychiatrist, he was a brilliant psychiatrist. If that were true, it would not be on the shifts that I am working on, and I wouldn't know anything about it. We discussed a lot of hearsays, and rumors and stuff, that certainly couldn't be quoted as facts.

Q. Did you talk to Mr. Bennett since you testified before?

A. I have not. As I said, I was tempted to clear things up in my own mind to call Mr. Brown's office direct. I did not do it, and I have not talked to Mr. Bennett.

Q. All right. Anything else you would like to tell the committee?

A. I don't think so.

Q. Thank you very much.

A. Did you say I should take this with me and read it?

Q. You are welcome to it, if you would like it.

A. Thank you.

CHAIRMAN ALLEN: Mrs. Chisholm, please.

MRS. ELIZABETH CHISHOLM
Superintendent of Nursing Services
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Now, Mrs. Chisholm, you recall testifying before this committee on September 19th?

A. Yes.

Q. Any corrections or changes you would like to make in the testimony you gave before?

A. None.

Q. What?

A. I haven't seen it to look over.

Q. From what you remember about it, are there any changes?

A. Not that I can recall off-hand.

Q. Well, we have a copy of the transcript for you, and if you would check that over at your leisure, and let us know, we'd be glad to receive any corrections.

A. Thank you.

Q. Prior to the time you testified, did anybody tell you that

you would lose your job here, if you did not testify in a certain way?

A. No.

Q. Since you testified, have you been interviewed by any representative of the Attorney General's office?

A. Yes.

Q. When was that?

A. I believe it was last Friday.

Q. And where did this take place?

A. This took place over in one of the rooms in Social Service Department.

Q. The building called T-15?

A. Yes.

Q. Separate from the building where you have your office?

A. Yes.

Q. And who was present?

A. Mr. Bennett and Mr. Martino, Mr. Riggs sort of ushered me in.

Q. Will you tell us what happened?

A. When the interview started, Mr. Bennett said, "I think I should tell you that you can leave any time that you would like to." He was very nice and very polite. "We just want to talk to you and find out a little bit more about this testimony." So he took out one of the copies of the report and said he would like to have me go down this line by line.

I said, "Well, I have already gone over that much of it." And

I didn't feel that I should have to discuss it. And he said, "Well, this is what we would like you to do, go down it line by line. This made Mr. Martino's report look very poor." I didn't say anything. Then he said, "Well, of course, you have to cooperate. Haven't you had a directive from the Director of the Department that you must cooperate with all investigating committees?"

And I said, "Yes." I said I thought I had been most cooperative with everyone who had come along.

Then he said, "Well now, please start and go down this testimony." And I said, "No." I didn't care to do that.

Finally he said, "Do you know I will report you to Dr. Adams as being non-cooperative if you don't do this?"

I said, "That is all right, because I don't feel that the reporting me to Dr. Adams, I don't feel that threatening me with a loss of a job is a real threat. I had a position like this before and I feel that I could get another one. Personally I think the Department of Mental Hygiene is fortunate that they have people working for them."

Then I can't recall the exact order in which these things were said, but he did make the remark, "You are a very important person. Your position is very important. If you don't cooperate, then the technicians down the line won't cooperate."

And I said I felt that they could do whatever they wanted to do, it was their privilege. Then he said, "Well, I would like to tell you that you are in a very serious spot, and perhaps you should get a lawyer of your own."

I felt that that was very intimidating, but I still didn't say anything, so then he would point out, "Well, you start here and go down this."

I said, "No."

He said, "Do you remember talking to Mr. Jensen a Sunday before testifying before this Allen Committee?"

I said, "Yes."

He asked me approximately how long, and I have no idea how long. I couldn't recall what I said to Mr. Jensen. The same way than when Mr. Bennett asked me to go over this testimony with Mr. Martino there, Mr. Bennett wanted me to go over it, he did make the remark that, "Of course, Mr. Martino will put it in his own words."

And I feel that unless you were talking to a hospital consultant or someone who knows hospital information and organization, the result would be the same. I still would be misunderstood. That, and I believe I told Mr. Bennett that I didn't think going over it with him would help anything at all.

Finally he said, "Well, if you won't talk, there are ways to make you talk." He said, "I can subpoena you, and you will have to appear before a Legislative Committee and you will be sworn in and talk."

And I said, "In that case, I will talk."

Then he mentioned something else about cooperation, and I told him that I was very sensitive to this cooperation because when Mr. Martino had first come down here to interview me along with all of the others, we were told to be cooperative, and when it came to

near the end of our interview he wanted me to make some recommendations about doctors, and I felt I wasn't competent to make a recommendation as to how long a doctor should take or should think he would need, the time he would need to take a mental or physical examination, and I said that I couldn't do that.

Mr. Martino remarked that, "If you don't make recommendations or suggestions, then how can we make recommendations and suggestions and there will be a Legislative investigating body with their own down here to look at things."

So I looked at him, and I said, "Yes, here we have two."

I turned to Mr. Bennett and said, "May I leave?" And he said, "Yes."

Q. Is that all?

A. Yes.

Q. How long did this interview take?

A. Oh, I wouldn't know. To me it seemed a long, long time.

(Laughter)

Q. Any questions? Is there anything else you'd like to tell the committee?

A. No.

CHAIRMAN ALLEN: Thank you very much. Is Mary Webb or Venia Palmer present? Dr. Rapaport, come forward please.

WALTER RAPAPORT, M.D.
State Director of Mental Hygiene

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Doctor, we asked you to come here today primarily because we understand you have just made a trip to Washington, D.C., and attended a conference regarding certain drugs. The committee is interested in this. We have had testimony on it from both you and members of your staff previously. There has been a good deal of discussion in the Tuesday papers about it.

Personally, I get a lot of letters from drug companies wanting to sell the State of California some of these drugs, and we'd like to hear what took place at this Washington conference, and what new developments there are on it.

A. Well, I have submitted a copy of Dr. Simon's and my recollections of what went on at the two-day hearing to this committee to Senator Short's Committee, to Mr. Post, and to the Department of Finance, and Mr. Rumford's Committee.

This particular conference was called for the purpose of setting up plans for the evaluation of pharmacotherapy in mental illnesses, by pharmacotherapy means treatment by drugs.

The conference leaders were representatives of the National Research Council, the National Institute of Mental Health, and American Psychiatric Association. The conference that I attended was held on September 21st and 22nd, 1956, in Washington, D.C.

Prior to this conference, and I can't give you the exact dates, but I would say perhaps for a matter of nine or ten months this group had been evaluating all of the literature throughout the world, and interviewing people who had written articles and so on,

and then for about two days, which they told us consisted of twenty-hour days, they listened to some of the lead people who had written articles and who they thought might have ideas on the subject. And after they heard all of these, I guess you'd call them witnesses, they met on the 21st and 22nd to again discuss the situation and to formulate and make recommendations as to what they thought is the present situation.

My impression, and I think it is borne out by the recommendations of this committee, of which there are four, my recollection is that no definite opinion could be given by any of the gentlemen present, or ladies present, as to the present efficacy or lack thereof concerning the drugs.

They outlined a procedure in their recommendations which in a few words means that they will have to do some really basic scientific research to determine first whether the drugs are or are not themselves of any effect, good or bad.

Secondly, they would have to have a determination of the toxicity of these drugs, and the dosages. The comments I heard from different people on the floor were on both ends of the picture, some were quite enthusiastic, but the general impression was, and the committee so stated, that is the committee of these three organizations, that at least ninety percent of the papers which had been submitted and written in the journals and so on, were so poorly written, and so loosely written and so inadequately documented that no opinion could be derived from these papers.

One recommendation of the committee was that the journals be

a little more careful in selecting papers to be published.

The general impression that I got was, and it confirmed my own impression which I had before, that the advent of the so-called tranquilizing drugs has made a terrific impact on the psychiatric picture.

I have stated this before. Even if they do nothing else, but what they have done, and that is activated really scientific and careful thinking about the causes of mental illness, the possible treatments of mental illness, even if the drugs themselves prove eventually not to be even the minimum of what is claimed for them, that they will have served a very fine purpose.

There was some feeling that because of these studies that while these new drugs may prove not to be the answers, that it could very well lead to discovery of other drugs, other techniques and so on, which would very well in due time solve this mental health problem. That is about the picture I came away with.

Now this is not as I say, a verbatim report. We couldn't. We write with pencil and try to listen, trying to get the identity of speakers, and it was impossible with our limited capacity to write as fast as people spoke and listen at the same time.

This could not be considered a verbatim report. The recommendations, however, which you will find at the end, toward the end of the report, is verbatim, the recommendations of this group.

We in California, I feel, are keeping abreast of the better thinking regarding the progress in psychiatry. I feel that we should continue to utilize whatever drugs are put forward in further

study and research.

Already, as you know, there are any number of drugs that have been submitted since the first introduction of reserpine and thorazine, and there probably will be many more. Some of the drug houses have changed the formula of the drugs which they originally presented, and I think that will continue, and I think that we will very definitely within the foreseeable future, which is, of course, a matter of years, not a matter of days or weeks, have something to confirm the feeling that the final answer has not been reached.

The Veterans Administration has established a five-year investigation of treatment processes, including the usage of drugs. This particular study that I mentioned was discussed in Washington is being financed by a two million dollar appropriation made by the Federal Congress, and I, as Director, have applied to the National Institute for Mental Health, which will be the body that will allocate funds, I have applied to them for funds to carry on some of the investigation in California.

We will continue the use of drugs until they are proven not efficacious, or not indicated, If we need more funds to carry out the program which I have submitted for this particular year, I will ask for more funds.

We are in the process now of setting up that particular aspect of the picture and also of course, preparing the budget for '57-'58 fiscal year.

Q. What are some of the names of these drugs?

A. There is any number of them, Mr. Allen, sparid, chlorpromazine, promazine, reserpine and there maybe twenty to thirty reserpine products, and maybe just as many products similar to chlorpromazine, and promazine. They are made by different drug firms, and I just can't remember all of the other names.

Q. These drugs are being used now in our mental hospitals?

A. Yes, they are being used, in 1954, I think when they were first becoming known, I called a meeting of pharmacotherapy committee of the superintendents and asked them to submit to me a figure which they thought might be adequate to carry on a research because the budget had already been submitted, and they came up with the figure, I think it was \$42,000 or something like that, which very soon proved to be very inadequate. But that is the figure they came up with, it was a good guess, we thought at that time, but it proved not to be a good guess later.

We went to the Legislature and asked permission to amend the budget, after having gotten approval of the Department of Finance and they gave us that permission and provided that money.

For the '55-'56 budget we got a little more time. I asked the superintendents to submit to me requests for funds which they thought would carry them through the '55-'56 fiscal year, and they submitted figures to me, I think it adds up to about \$70,000.

Again I say it was merely a guess, and with the previous experience in mind, I thought I better ask for more, and I multiplied it almost by three, and asked for \$208,000.

The Legislature, Department of Finance, approved it, went to

the Governor's budget and the Legislature promptly approved it, and we received \$208,000 to be expended during this current fiscal year.

I set up a program for them which is in agreement with the programs in most of the states, are using it, especially the District of Columbia. I said most of the states, District of Columbia, of course is not a state. They figured about ten percent of the patients will possibly be benefited, if any, by these drugs.

So we figured out what it would cost for that ten percent. As I said they submitted a figure about \$70,000, and I increased it to \$208,000. We find now, that to carry out the program which I had planned for them, which I thought was an adequate one, was still short of funds, and so I propose within the next few months to ask for money. I don't know whether I can get it, to finance the program which would carry out my plan.

Q. Is the use of these drugs now common throughout the State Mental Hospitals in California?

A. It is common, but here again you have got to remember that some are enthusiastic, some not so enthusiastic.

Q. What I mean, are they available?

A. They are available, that is correct.

Q. To each doctor?

A. Each hospital. Each hospital has money available to them equal to each other hospital prorated according to number of patients. In other words, on a ten percent basis.

Q. Any doctor who wants to prescribe them, he has the drugs available to make the prescription?

A. That is correct. As I said just a few seconds ago, that it looks like for the planning rather than have them cut down on what I originally planned, I want to get them the money, extra money, because it looks like we underestimated the amount of funds that we would require to carry out that plan.

Q. Now, do you have any research going on within the Department to ascertain the validity of the use of these drugs?

A. We have no -- I would say, no truly basic and scientific research going on. We are doing just what most of the other forward states are doing, and keeping a record of the patients who are receiving the drugs by dosages, by durations, and the results.

I spoke to the New York people when I was in Washington and I asked them that question, because it has been asked of me a lot of times, and we are having difficulty formulating a report for them. And in New York they told me that all they do is put the name of the patient on an I.B.M. card when he starts the drugs and then the next entry on the I.B.M. card is the disposition of that patient, which is not as much as we are doing.

On the other hand, New York is spending more money that we are spending. We are spending this year \$208,000. New York is spending closer to a million. New York has about 110,000 patients, and we have about 48,000 patients.

Q. We added some money to the budget last year to start a research program within the Department. Have you got anything in operation on that yet?

A. I think we are very fortunate just to give you a little

background. I interviewed perhaps twenty-five or thirty people all over the country in Washington, people from Maryland, people from New York, and I went to Omaha, Nebraska, interviewed a man there, interviewed a number of other people, and it was very difficult to get a person to accept the position because there is such a great demand for research persons, not only medicine but industry and all over.

We had only a certain salary to offer, and limited, in that regard, but I was fortunate in finding a man who was competent, who was very well recommended by his chief, Dr. Overholser of George Washington Hospital, whose wife was born in Sacramento and with that as a lure, I obtained his application for the position.

So within, I think, the money became available July the 1st, he will go on the payroll in our Department on October 1st, is this October? October 1st. The reason I say that, somebody asked me the question the other day, and I wrote down I want something on October the 29th, on October 30th and I meant September 30th. I want to be sure I got the right one.

He went on our payroll yesterday. Then I have assigned him, he is in Washington, I assigned him to the National Institute for Mental Health so that he can collaborate with the top men there and especially with Dr. Cole, who will allocate the funds, and Dr. Felix, who is the Director, and others who are available to assist him in formulating a program, and setting up contracts and so on, so that we won't be duplicating what others are doing unnecessarily, and so on.

He will come to California the first week of November, I think in much better shape. If I had not done that, I would have been in a position of him returning to Washington after he came here, and of course, that would have been an added expense to the State, and so I figured as long as he was there, I should take advantage of that.

Dr. Epstein, Leon Epstein, he was on the staff, had done research work in the Air Corps Medical Service, psychiatric research and just been appointed Associate Professor of Psychiatry at George Washington University under Dr. Overholser, who was professor, and he cancelled that appointment and also separated from Dr. Overholser much to their disappointment.

Dr. Overholzer told me that when I was in Washington last week, and that is merely I think, the whole argument was his wife wanted to be in California and that is what sold him.

Q. You have authorized a position of Deputy Director that was vacant for a time. Has that been filled yet?

A. Yes, sir, that was filled, I think the 17th of September.

Q. Who is the Deputy Director?

A. Dr. Marshall Porter (P-o-r-t-e-r), Marshall E. Porter.

Q. What is your practice as far as the Division of the Hospitals on the spot is concerned?

A. We have a number of section heads, personnel, nursing, rehabilitation therapy, social service, Mr. Deming is my Administrative Advisor, and Accounting Officer, the Assistant, Deputy Director in Charge of Business Services, and the lady at the head

of the dietetic services, food services, we have architects --

Q. Are these all people --

A. All of these people are in the central office, and they make visits to the hospitals. I would say that they are out of the office about half of the time visiting the hospitals. I visit the hospitals as often as I can, and they interview both the superintendent of each hospital, and the particular person who is concerned in their special area.

Then we have seven or eight or nine standing committees of superintendents who meet, oh, several times a year to some of them meeting once a month or so. Then they have sub-committees consisting of assistant superintendents and clinical directors, business manager, superintendents of nursing services.

Q. That is within the hospital?

A. No, no, in between the hospitals, and they meet. Then every three months I meet with all the superintendents and the top central office staff, and we review all of the activities, discuss the reports of different committees, and then I arrive at policy after hearing these discussions and after consideration of my own feelings in the matter.

CHAIRMAN ALLEN: Any questions? Mr. Lanterman.

ASSEMBLYMAN LANTERMAN: Go ahead, Dorothy.

ASSEMBLYMAN DONAHOE: In addition to that, don't you have a monthly report from each doctor from which you make your Governor's report, from which the mailing is given?

DR. RAPAPORT: Yes, every month we have a written report

from the hospital which covers all of the activities that I have mentioned, and from that we make out the Governor's report. In addition to that we get bulletins from the central office which go to several thousands of people, including our own people, of educational value, planning value, and so on.

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. Doctor, as a result of my own information on behalf of the committee, with the committee, in our hearing at Langley Porter Clinic last year relating to a program of research for your Department, based on that information, and on the report that we made, the progress report that this committee made to the chairman, we recommended a more elaborate program of research which you then indicated to us would be keyed to your Director of Research if you were able to recruit a man competent and able to do that job. Now I take it for granted that Dr. Epstein is the man who will direct research for the entire Department?

A. That is correct.

Q. And we will then branch out into the hospitals, into your research teams as we can recruit and get funds to do that job?

A. That is correct.

Q. And research in that, is treatment of mental illness?

A. Research into all phases of mental illness, especially treatment.

Q. Will also include research into the care of patients under the treatment of these tranquilizing drugs and other medications?

A. Oh, yes, that is correct.

Q. These tranquilizing drugs, as such, are nearly all derived from the old rauwolfia root, are they not?

A. No, the chlorpromazine group, is synthetic.

Q. Synthetic of --

A. I couldn't tell you what the formula is, that is one of the problems, because we are attempting to get the drug houses to cooperate in this study, and I suppose they are willing to cooperate but I also suppose they are not so willing to give out their formula.

Q. The chemical balance, however, of the synthetic, or the synthesized component parts of your drug are essentially those that were contained in the rauwolfia?

A. That is correct.

Q. Now, in any event, this is nothing new in the treatment of -- I think rauwolfia derivative was first used, was it not, for high blood pressure?

A. In this country, and Europe first used for high blood pressure.

Q. Long used in India?

A. That is correct.

Q. For medications there for nervous diseases, and so on. Now, the thing I'd like to just then wind up my observations, we are prepared with this Director and your Department well established to proceed to further areas of research and a well organized program?

A. That is correct.

Q. To balance our mental hospitals' progress?

A. That is correct. I am going to resubmit the budgetary requests we submitted last year.

Q. Well, we will wait --

A. I can't wait for this man to report and work out a very detailed plan, because the budget will be closed, so I want to have the funds, because I know he is going to work out some program, and I am hoping that everybody will go along with me, so we will have money for the program which I would say could possibly be put on paper before June 30th.

Q. In any event, our appropriation for the coming year for your Department will include the research item?

A. That is correct.

Q. Under the direction of Dr. Epstein?

A. That is correct.

ASSEMBLYMAN DONAHOE: I don't want to put the Doctor on the spot of precluding any further free drugs as we have had, I believe from the use of the pharmaceutical agencies, until such time as we have established their validity, but during this interim has any particular pressure been brought about by some of the pharmaceutical agencies for the more concentrated use of drugs in the State Hospitals?

DR. RAPAPORT: I have not been visited by the representatives of the pharmaceutical houses for several months.

CHAIRMAN ALLEN: Any more questions? Thank you very much, Doctor.

DR. RAPAPORT: Could I be excused?

CHAIRMAN ALLEN: Yes.

DR. RAPAPORT: Or do you want me to stay?

CHAIRMAN ALLEN: No, you can be excused.

DR. RAPAPORT: Thank you very much.

CHAIRMAN ALLEN: Mr. Martino, would you raise your hand,
please.

JOSEPH H. MARTINO
Special Agent
State Department of Justice
Bureau of Criminal Identification
And Investigation

having been first duly sworn that the evidence to be given would be
the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Mr. Martino, if you will look at that exhibit right in
front of you, which is a copy of your report, at the bottom of page
35, will you read the last paragraph, please?

A. The last paragraph, sir?

Q. The last paragraph on page 35.

A. You wish me to read it?

Q. Just read it to yourself. Mr. Martino, you will note that
there is a statement here that you examined files in the Bureau of
Criminal Identification and Investigation reflecting investigations
of other State Mental Hospitals. What other State Mental Hospitals
were involved?

A. Not having the files before me, I can't recall all of them.
I do recall one in particular, investigation involving the

Mendocino State Hospital.

Q. Do you know approximately what period of time that investigation covered?

A. To the best of my present recollection it was sometime during the year 1952.

Q. Were there any other hospitals involved?

A. There was filed there on the Agnew Hospital, and I believe Pacific States and several others. I don't have in mind particularly right now, without my files available.

Q. What year was involved in the Agnews Hospital?

A. I don't recall that specifically now.

Q. How about Pacific State Hospital?

A. That happened within the last several years to the best of my knowledge, again I can't quote you a specific date.

Q. Would you be referring to the investigation that was made down there last November?

A. It could have possibly been, as I say, without the file I can't say the exact date we made the inquiry?

Q. Were you aware that this committee had an investigation at Pacific State Hospital last December?

A. I was not aware of the activities of this committee previous to this time.

Q. And the Grand Jur~~ies~~ies of Los Angeles and San Diego Counties were also taking part in that investigation, did you know that?

A. I have no information about that, other than the report

that was made by our agents for our files.

Q. Your conclusion here that acts of brutality have been uncovered at all of the institutions where an investigation was made, were the result of only looking at the files of your office then?

A. As a result of my examination of the files available in our office.

Q. You testified previously that you were employed as General Counsel for the Economic Stabilization Agency? Would you tell us what date you commenced that employment, approximately?

A. When I first began my employment with the Economic Stabilization Agency in March of 1952, at Sacramento, California, as Director of Enforcement. I was subsequently transferred to the San Francisco office. I don't recall the particular day of that, but I believe it was sometime in October of 1952.

Q. When did your employment with the Federal Bureau of Investigation terminate?

A. My resignation was submitted sometime in December of 1951.

Q. Were you asked to resign?

A. I was not.

Q. Were you involved in any charges of misconduct at that time with the Bureau?

A. I was involved in no charges. My resignation was submitted and accepted through the ordinary course of events as are usual in acceptance of resignations. I have that resignation available, and its acceptance.

Q. Now, is there anything that you would like to tell this committee?

A. I would answer any specific questions, sir.

CHAIRMAN ALLEN: Mr. Lanterman?

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. In examining the file relating to Pacific State Hospital, do you recall at this time, by mere recollection, not having the file available, the nature and extent of that investigation by your department?

A. Yes, I am quoting strictly from memory right now. I believe there were numerous allegations by the family of patients regarding malnutrition, of mistreatment, of the relatives or children concerning the people who had placed these patients in the institution. The files contain a number of letters wherein either the parent or the relative of the patient had made complaints regarding brutal treatment of the patients. In one particular instance, I believe there is presently a suit pending against the hospital and the hospital superintendent at night for the wrongful death of twelve year old boy.

Q. Now, I was present at the full day hearing we had down there.

A. I might mention, Mr. Lanterman, I took no part in that inquiry or investigation.

Q. I knew you had no personal knowledge of it, Mr. Martino, and therefore, just for your own information this committee did a very exhaustive research job on that situation which took many

weeks and then we had a very exhaustive hearing on it with everyone involved testifying, both parents and hospital staff and so forth, and this committee certainly had uncovered no knowledge or no information as to any brutality or any malnutrition as such, based upon neglect or any kind of mistreatment on the part of the hospital, and I think the report of the Los Angeles County Grand Jury and the report of the delegation of the Grand Jury from San Deigo, delegation of four which were present during the hearings, and their statement would be quite sufficient for you to review to disabuse your mind of any such maltreatment, brutality or malnutrition and I would just like to inform you as a member of the committee that that was the finding, not only of our committee, but of essentially the report of these two Grand Jury investigations. I would like to have you make a recheck of your file, so you don't include the Pacific State Hospital unconscionably in any way.

A. I made it very clear I merely read what was in our reports. The letters we received.

Q. That is right.

A. I had nothing to do with the investigation.

Q. I think Mr. Martin of your Department was the man who was responsible for that information.

A. That again I would have no knowledge of at this time.

ASSEMBLYMAN LANTERMAN: In any event, that is part of the background of the interest of this committee, having conducted a very comprehensive study of that institution down there, and came away with only compassion and understanding and perhaps

sympathy with the terrific problems they are faced with in handling the patients there, the mentally deficient children, and I am quite sure as a result of the hearing there was a great deal more understanding by the parents of the problems and perhaps the benefit that was derived by the hospital was a closer liasion between the parents and the hospital for their own mutual information and respect.

CHAIRMAN ALLEN: Any other questions? Thank you, Mr. Martino.

MR. MARTINO: I believe you asked me whether I had anything further. I just recall another matter, in talking to Mrs. Byrum, I just recently, I think it was this past Friday, I believe she testified before this committee again today, and I believe, Mr. Chairman, you asked her the question whether or not she had anything else to add.

ASSEMBLYMAN LANTERMAN: By whom?.

MR. MARTINO: Byrum, Valena Byrum. Mr. Bennett and I talked to Mrs. Byrum on the 28th of this month, last Friday, in which she gave us two other instances she recalled where she had personally seen two different patients mistreated by four technicians at the hospital.

CHAIRMAN ALLEN: Is Mrs. Byrum here? Well, Mr. Martino, I would prefer to call her back and get her to explain it.

MR. BENNETT: Mr. Allen, could I say something? I am trying to say this as sincerely as I can. I didn't know Mr. Martino was about to present this Byrum incident. The woman is

concerned for her job. She gave us the information on the promise, and maybe you don't think we should honor it, we would not disclose the names of the people she gave to us. She is in fear of her employment.

CHAIRMAN ALLEN: All right. Will you send for Mrs. Byrum, Dr. Adams? Let's get her back here, please.

MR. MARTINO: Further, in interviewing Mrs. Constance Norton, I believe Mr. Bennett has given a correct resume of that interview. Mrs. Norton didn't make mention of the word "pressure" I believe. As she herself has stated, she made that in a facetious way, and Mr. Bennett, as I recall it, personally asked her whether she meant by pressure a situation in which she might possibly have seen someone shot who was a friend of hers, and who had been indicted and called before a court of law for prosecution, would she consider that pressure, if she were called to testify as to what she had seen. Mrs. Norton says, well, I guess she would call that pressure, too.

Further, in the conversation with Mrs. Chisholm that we had also on Friday, I think Mrs. Chisholm made the statement that Mr. Bennett informed her she was in a bad spot, and needed an attorney. I was present at that interview which was conducted by Mr. Bennett. My recollection was that Mrs. Chisholm had stated that she was there alone and there were two of us. Mr. Bennett at that time invited her to ask anyone in she desired, that if she felt she wanted an attorney, she could also have an attorney during the interview.

Mrs. Chisholm did not request anyone, and upon asking whether she would be permitted to leave, Mr. Bennett told her she would and she did leave the interview room.

CHAIRMAN ALLEN: Anything else?

MR. MARTINO: No, sir.

CHAIRMAN ALLEN: Thank you. If you would remain until we adjourn, we'd appreciate it. Is Mary Webb or Venia Palmer here? Is Dr. Downey present?

ROURKE EMMET DOWNEY, M.D.
Assistant Superintendent of Medical Services
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your full name, sir?

A. Rourke Emmet Downey.

Q. R-o-u-r-k-e?

A. Correct.

Q. And employed at the hospital?

A. Yes.

Q. And your title here?

A. Assistant Superintendent of Medical Services.

Q. And your immediate supervisor is who?

A. Currently Dr. Adams.

Q. You work directly under the superintendent?

A. Under the superintendent.

Q. And how long have you been employed at this hospital?

A. Since it opened, first of August, 1947.

Q. And you are a psychiatrist, physician, or what? Tell us.

A. I started out as a physician, but I would say I am a psychiatrist right now. I have been a psychiatrist for about twenty years.

Q. Prior to your employment at this State Hospital, where were you employed?

A. Patton State Hospital.

Q. And how long were you at Patton?

A. About four and a half years.

Q. Before that, where were you employed?

A. I was three years at Warm Springs State Hospital, Montana.

Q. Now, how long have you been the Assistant Superintendent?

A. Since the 1st of August, '47.

Q. Do you have under your part of the hospital the psychiatrists?

A. No.

Q. What portion of the hospital administration falls under your jurisdiction?

A. I have the physicians and surgeons. The table of organization here, I can give you the various people that come under my jurisdiction. The three chaplains, we have a Jewish Chaplain part time, and full-time protestant and Catholic full-time, senior clinical laboratory technician, and clinical laboratory technician when we have one. The Supervisor of Rehabilitation Therapies, the senior

dental assistant, senior dentist, and dental assistant. X-ray technician, chiropodist, and librarian, the pharmacist and the physician and surgeon, currently that is five, including Dr. Chisholm, who is the physician and surgeon 3, and actually have five on the payroll in our division now, with one on leave, the doctor will be back possibly this month sometime.

Q. How many doctors do you have here now?

A. We have actually ten, that is exclusive of Dr. Noce, myself, and Dr. Adams.

Q. Does that count the part-time doctors?

A. No, seven part-time doctors.

Q. In addition to that?

A. On the basis of a day a week.

Q. That is in addition to the ten?

A. Yes.

Q. Dr. Noce, yourself, and Dr. Adams are also --

A. They are twelve counting Dr. Noce and myself, and thirteen counting Dr. Adams.

Q. And since you have been here, what is the fewest doctors that you have had?

A. One period here a few years back there was only four of us, including the Superintendent and about 3,000 patients.

Q. When was that?

A. Dr. Gladen's time, sometime before 1951. I don't just recall the exact year.

Q. And at that time, when you were short of doctors, did you

do some of the medical and psychiatric work yourself?

A. Yes, I took over four doctors' assignments, the four that had left, took over their wards.

Q. How many patients were involved?

A. Oh, I presume there was about a thousand, something around in there.

Q. You were the only doctor taking care of it?

A. No, two other doctors took care of the other 2,000.

Q. I mean the one thousand that you had?

A. Yes.

Q. You were servicing yourself?

A. Yes, trying to. I won't say I gave good service.

Q. During your service here, have you seen any indications of mistreatment of patients by the employees?

A. I have never run onto it in any hospital in California. I have been through the wards on several occasions, and on days, I went through, every day, I went through the whole hospital at least once a week, odd times and hours, and odd places, and I wasn't sneaking, I just happened to be in the vicinity and dropped into wards, and I never did find any abuse of patients.

Q. Ever see any patients that were injured in such a way as might indicate they had been mistreated by the employees?

A. That is rather difficult, an injury can result as a result of employee accidents or patient accidents, it is pretty hard to differentiate unless you have competent patients on the ward.

Q. You had some cases where employees had been suspended or

dismissed or disciplined for conduct involving patients where the patient was injured?

A. Yes, there are some.

Q. Aside from those cases, we have a record of going back to 1951, have you run into any indications of mistreatment or abuse of the patients where you couldn't track it down?

A. Run into a lot of rumors, have to class them as rumors. There is possibly something, arrive and try to run it down. It comes to an end more frequently than they come to a solution.

Q. Have you made any effort to, through these visits of yours to the ward to see if there was anything like that going on?

A. When you go through you are always looking for something.

Q. What has been your experience with Epsom salts in mental hospitals?

A. It has been given in some hospitals, the patients were met practically at the door before they got their clothes off with a dose of Epsom salts at Patton. On the wards it was given weekly just a standing order given weekly. I could never, personal contact with it, Epsom salts is good stuff -- I don't think it is good for animals or anything. That is internal. But it was a routine we gave Epsom salts once a week. Gradually went by the boards, especially on my wards. I just cut it out. I didn't see it was necessary, if it was necessary once a week, it was just as necessary twice a day, so I cut it out and we never had any bad results.

Q. If Epsom salts are given to a patient, is that done on the technician's decision, or doctor's decision?

A. There is no medication supposed to be given to any patient without the doctor's orders.

Q. Have you ever heard of the use of dry Epsom salts?

A. I have heard it, and I have also heard dry Epsom salts if you must take it, the easiest way is take dry Epsom salts, wash it quickly down with water and the taste doesn't develop in your mouth. I have never tried it.

Q. Would there be any harmful effects from taking stuff dry instead of in a liquid?

A. I think not. As I said before, I wouldn't give it to anyone.

Q. You don't prescribe it yourself?

A. No. I know it is issued out of the pharmacy at times, I know Epsom salts is one of the things that is put out or asked for.

Q. Do technicians prescribe electric shock treatments for the patients?

A. No.

ASSEMBLYMAN LANTERMAN: Could they?

CHAIRMAN ALLEN: Pardon?

ASSEMBLYMAN LANTERMAN: Could they?

CHAIRMAN ALLEN: Q. Could they do that?

A. No, the doctor has to prescribe any treatment, electric shock is treatment.

Q. Do you give electric shock treatments in one ward or several, or all the wards, or what?

A. Usually limited to a couple of wards.

Q. The patient has to receive the treatment, is he brought into a ward where it is given?

A. Very often, taken back to the ward where he is assigned if he recovers.

Q. Do you keep a record on which patients receive electric shock treatment?

A. Yes, a special form for keeping it.

Q. What kind of medical records do you keep on patients?

A. On patients?

Q. Yes.

A. Well, usual records such as has been going on in the hospital for years, with a few modifications I imagine.

Q. Well, how do you keep them? Will you describe your system of records to us?

A. Well, the central record office, where most of the information is kept, it is also on the active orders, ward folder there, the patients are getting treatments such as you mention, part time, and our own doctors make examinations and keep a notation and keep it in a file and it is supposed to go with the patient wherever he goes.

Q. What kind of records are kept on the ward by the attendants?

A. Pardon?

Q. By the technicians, what --

A. They have a ward note form they keep, I may have a copy of here. This is the ward notes. I have some of Rapaport's sayings on the back there.

Q. This is a form 713, apparently put out by the Department, is that correct?

A. Yes.

Q. Who fills in this type of record?

A. That is what is supposed to be done by the technician on the ward.

Q. Now, do the technicians on the ward also keep a book where they record?

A. There is a daily log kept, there is some confusion between the notes, apparently, and the daily log, that the daily log is when they report on duty, and who is on the ward, and possibly if there is some undue incident that is recorded in the daily log too. It gives the crew coming on say of this shift here, some idea in case somebody forgets to tell them something transpired, they look at the book and find out what transpired there.

Q. What is the practice as far as routine examinations is concerned of patients?

A. You mean in-coming patients, new admissions?

Q. No, all the patients.

A. All the patients are supposed to have a quarterly note written on them and have an annual physical examination.

Q. How is the quarterly note written, who writes it and what does he do with it?

A. The attending physician is supposed to write the note, it is more or less a printed form, a check form.

Q. What is the practice in making this quarterly note?

A. They are supposed to be made every three months.

Q. Who does it?

A. The ward doctor. If he doesn't do it, he is supposed to be responsible for it, if there are some notations on it that are made by someone else, he signs his name to them, and he is held responsible for them.

Q. Do you assign one doctor to particular wards?

A. Have a group of wards.

Q. Each doctor has?

A. Yes.

Q. A group of wards?

A. With the exception of the physician and surgeon 3 and the psychiatrist 3; psychiatrist 3 currently has three wards assigned to him by his own request.

Q. And it is the responsibility of that doctor to make the quarterly note on the patients that are in those wards, is that right?

A. Yes.

Q. You say they are supposed to do it. Do they do it?

A. It hasn't been kept up too thoroughly on some of the older cases. I think the older cases, since all of the hullabaloo arose, quite a few of them have gotten in.

Q. Well, how does the doctor make this note, how does he go about it?

A. Goes to interview the patient.

Q. Did you ever make any of them?

A. No, I don't make them. I interview patients, but I don't make quarterly notes, or any other notes. I usually see five or six hundred patients have privileges, I run into all the time, asking when they can go home, or some privileges, but I don't unless there is something that has to be a notation, I don't make a notation of the conversation.

Q. If you look at that document that is right there by your right hand --

A. This one?

Q. Yes, on page 9, top of the page, it starts out about the interview with you. Did you find the place?

A. Yes.

Q. Have you seen this statement before?

A. Yes.

Q. Would you tell us if you have any corrections to make in this statement?

A. Yes, I think there are some. I have the full version of it here. The first correction is minor, that is that I am listed as the Director of Clinical Services. That is Dr. Noce's category. I think I also noted, heard Mr. Schoales' name mentioned. I think he was the first man I interviewed. He was only here one day and shortly after that, Mr. Martino came over. I don't know what the communications were between the two of them.

Q. Who is that?

A. Mr. Schoales, he doesn't appear in this report. He was originally the one I talked to when the investigation started.

Q. Go ahead.

A. The corrections I think start in the third paragraph. The statement there in the latter part of the line there, line 11, ends line 11, "nothing much is done to assist them mentally."

Q. A statement in the report?

A. Yes, third paragraph about line 11.

Q. According to Dr. Downey, let's begin at the beginning, "more stress is placed upon the newer patient who has a greater potential towards recovery, and those patients from age 60 upward receive little attention, since they are considered chronic cases, and, according to Dr. Downey, as long as they perform the usual biological functions, nothing much is done to assist them mentally."

A. I think, "newer patients" could be made, "more stress is placed on the patient who has greater potential toward recovery." You possibly get a man 60, I don't think 60 is any dividing line, might get a perfect maniac at 60, not far from my age, and might do something for him, so just because he was 60, you wouldn't say you couldn't do anything. It depends on the diagnosis.

Q. How about the statement, "as long as they perform the usual biological functions nothing much is done to assist them mentally"?

A. Well, I think any time you give a patient any form of even talking to them, is a form of therapy, nursing care is therapy, their food, the attitude of the technician on the ward, and movies and television, and radios and things, are all a form of therapy. You can't say you sit a patient down, and he is totally neglected.

Q. How about the next sentence? "Dr. Downey further stated that most of the notations for examinations made by the hospital staff doctors, are made in the ward books which are maintained on each individual ward."

A. I think that there is a little confusion between the ward books and the other ward notations. I think it is a little in the reverse there, as I recall. Notations for examinations made by hospital staff doctors are not made in ward books. These books are essentially a daily log of ward happenings generally, and I believe are confused with the patient's ward file, which will contain the treatment sheet and notes made by the doctor, and notes by the technicians on the patient's medication, conduct, and activities. On acute areas there are adequate notes on examinations, diagnosis, and treatment. Also, where patients have been to some of the various clinics, these notes are very adequate and contain the same data.

I think the "special incidents" got mixed up in there somewhere, too.

Q. What?

A. Special incidents. In that paragraph somewhere.

Q. Well, the next paragraph says, "other hospital records, according to Dr. Downey, were the ward of 'Pat' files. These are the records maintained in the wards and contain a running account of daily incidents."

A. I think that the patient's file, there were a running account of daily incidents, I think that is confused there. A

running account of the daily incident usually shows up in the book, one of the employees came on shift and so forth and so on. I think that is a confusion in there.

Q. That is ward log you are talking about?

A. Yes.

Q. Now, in addition to that, you have special incident reports?

A. Pardon?

Q. In addition, you have special incident reports?

A. Special incident reports, there is a special green sheet and labeled special incident.

Q. Who gets those?

A. They are on the wards and they are made out to begin with whoever witnessed the accident, if an employee, patient thing, both the employee's name appears and the patient's name, or if it is between two patients it is made in duplicate so they have a copy for each patient's file.

Q. Do any of them come to you?

A. Yes, they go through the ward charge and any witnesses there, go to the area supervisor, ward doctor, and sent up for either Dr. Noce or I, and lately for about a year or two now, both Dr. Noce and I have been checking them, to see if there is anything that would indicate further investigation in addition to what the doctor has indicated, the ward doctor has indicated, and as I get to the office, they become part of the patient's clinical record.

Q. The top of page 10 you have got a statement here, about the third sentence, on newly admitted patients, says "in practice, however, following the original complete examination, no further examination is made of the patient unless it becomes apparent that he is in need of one." When you get new patients here you stick them in a ward, and forget about them?

A. The only hope is of getting anybody out of here. Newly committed patients are almost constantly under some treatment following their examination, unless very deteriorated.

Q. Doctor, you are reading from something. Would you put the notes down please, and just tell us in your own words what the practice is on these newly admitted patients?

A. Well, what I was reading so far, now they are under some form of treatment unless it is time to leave the hospital. It may be psycho-therapy, might be electric shock, might be group psycho-therapy, and they are under some sort of treatment, maybe medical surgical treatment. Some of them in the older group, even those, they ship them off, doing research on arteriosclerosis, and I don't know whether they are doing any research here or not at the present time.

Q. What is your policy on daily inspection of wards by doctors?

A. At the present instant, doctors make the wards every day.

Q. How long has that been in effect?

A. Well recent, I don't know just when the effective date was.

Q. On the top of page 11, middle of the second paragraph, "it

was particularly brought to his attention that one technician, Velva McCaughan, habitually twisted the arms of patients who did not do her bidding, which resulted in numerous spiral fractures." Is that correct?

A. I don't think that is correct in any manner or shape.

Q. Did you tell Mr. Martino that?

A. Habitually -- I think there certainly would have been something done about somebody habitually breaking arms, if we suspected it.

Q. What did you tell Mr. Martino about that?

A. I don't think I told him that. I don't know what the exact contents was. I don't think it was habitually twisted arms.

Q. Well, do you know anything about this subject of this technician twisting arms of patients?

A. I don't think it came out until the Belill incident, that Mrs. McCaughan was ever in the limelight in my estimation. I know her husband was, but he was severely injured by a patient sometime before that, and I knew Mr. McCaughan much better than his wife.

Q. Do you have any information that this was going on?

A. I don't recall ever having any information that anybody was having her arms twisted and broken.

Q. Here is the next sentence. "He had also heard of the use of dry Epsom salts or Epsom salts paste and chloroform liniment." How about that?

A. That is another one of those rumors you try to run down and never run it down. Of course, by the time that somebody had

Epsom salts, possibly had created its usual effects and dissipated by the time you got to make the examination. Anyway, by the time it came through the rumor. Chloroform liniment, I can hardly conceive of anybody using it.

Q. I didn't understand?

A. Chloroform liniment is on the wards I know, because I have dispensed it from the pharmacy. I can hardly conceive of anyone using it in the manner in which it was stated.

CHAIRMAN ALLEN: Do you have any questions?

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. Then, doctor, you did not say that then to Mr. Martino as this is reported to have been said?

A. Which section do you mean?

Q. The one relating to the sentences we just read, relating to Velva McCaughan and the numerous spiral fractures, and dry Epsom salts.

A. I don't recall that coming up. It looks as though it was a common thing, you break an arm, you go in a dining room, I don't recall it coming up in that context at all.

... (Reporter's note: The witness, Dr. Downey, spoke in such a manner that in some instances his testimony was inaudible to this reporter. Consequently, portions of his testimony it was not possible to accurately give a verbatim report) ...

CHAIRMAN ALLEN: Is Valena Byrum here? Mr. Bezore, would you see if Mrs. Byrum is out there? Bring her in, please. Mrs. Byrum, would you come forward, please. Be seated, please.

VALENA BYRUM
Psychiatric Technician
Modesto State Hospital

having been previously duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. We are sorry to call you back.

A. I had gone home. I thought you was through with me.

Q. We thought so, too. I am very sorry to inconvenience you.

There was a statement made this afternoon that you are in fear of your job. Can you tell us anything about that?

A. Did I say anything about it?

Q. No, somebody else said that.

A. Well, I am not afraid of my job, no, not really.

Q. Has anybody told you that your testimony before this committee might affect you by being fired or suspended?

A. No.

Q. Did you tell Mr. Bennett that?

A. Well, not about what has gone on so far.

Q. Well, have you been talking to Mr. Bennett outside just now?

A. No, he interviewed me the other day, Mr. Bennett did.

Q. Did you see Mr. Bennett just now, just before you came in?

A. I saw him standing outside, asked him why I was called back.

Q. All right.

A. He said the committee wanted me.

Q. Mrs. Byrum, are there any incidents of mistreatment of patients by employees that you know about that you haven't already discussed with us?

MR. BENNETT: Mr. Allen, can I be heard with your indulgence?

CHAIRMAN ALLEN: Pardon?

MR. BENNETT: Could I make a statement, please, with your indulgence, and that of the committee?

CHAIRMAN ALLEN: Let's ask the witness first and get the statements later, Mr. Bennett.

MR. BENNETT: Well, here is the thing, Mr. Allen --

CHAIRMAN ALLEN: It is a simple question, she can answer it, Mr. Bennett. Will you please let us continue?

MR. BENNETT: It is under investigation. We'd rather you didn't bring the names out.

CHAIRMAN ALLEN: Will you please sit down. We will ask the witness. We are investigating the things right now. Q. Please go ahead and answer the question, Mrs. Byrum.

A. Well, I have seen what I thought was patients being mistreated, yes.

Q. All right. When was this, and who was involved?

A. Does this have to come out right now, the names and everything?

Q. Yes, right now.

A. Well, I don't remember the exact date, it has been between two and a half and three years ago.

Q. And what patient was involved?

A. Well, BelleWard was the patient I saw, that is what I called her.

Q. And what ward was she on?

A. C-24.

Q. And you saw a technician doing something to her?

A. Yes.

Q. What did you see?

A. Well, I saw them, what I call giving her a thrashing, a beating.

Q. All right. Will you describe it to us?

A. Well, she was on the floor, and one technician was up on her inner middle and bouncing up and down on her stomach and one had her by the hair, bouncing her head on the floor, and one was stomping her on one side, and another one was holding on another side.

Q. And what technicians were doing this to her?

A. Mrs. Epple, Mrs. Gilstrap, Mrs. Horton and Mrs. Fleming.

Q. Four technicians doing this?

A. Yes.

Q. Did you have any discussion with those technicians about this?

A. No, I didn't talk to them about the particular incident, no.

Q. Were they using their feet on this lady?

A. Pardon?

Q. Were they hitting her with their feet?

A. Well, one of them was.

Q. Which one?

A. Mrs. Gilstrap.

Q. Where is this patient now?

A. Oh, she lives in Modesto, she has been discharged, or I suppose she is discharged. She has been out for better than two years.

Q. And how old is she?

A. How old?

Q. Yes.

A. She is in her thirties, I don't know exactly her age, I'd say thirty-four, thirty-five, something like that.

Q. Were you working on this ward at the time?

A. Yes.

Q. Were these other four technicians?

A. I worked in the afternoon, they worked the day.

Q. Well, were they still on duty when you saw this?

A. They were on duty for a few minutes after we came on, yes, about thirty minutes, I believe, at that time.

Q. You gave me these names, I didn't understand whether these were all ladies or some of them men?

A. They were all ladies.

Q. Did you make any report of this?

A. No, no I didn't.

Q. Didn't tell anybody about it?

A. That is the reason I didn't think there would be any use

to tell it. I would probably be one against several others, and --

Q. Now, you were on the afternoon shift, is that correct?

A. Yes, sir.

Q. And did these other four ladies go off duty?

A. Yes.

Q. And they left the patient, Belle Ward, with you?

A. Yes.

Q. And --

A. She was still on the ward, of course.

Q. Was she still on the floor when the other people left?

A. Oh, no, she wasn't on the floor, no, she got up.

Q. Pardon?

A. No, she wasn't on the floor.

Q. Well, they did have her down on the floor though?

A. Yes.

Q. All right. She got up and then what happened?

A. Oh, they went home directly, and for some time, and Belle was just there as a patient.

Q. And did you give her any attention as the result of this incident?

A. No, she didn't need any attention other than that we took care of just as a patient.

Q. Well, was she hurt in any way?

A. Well, I couldn't tell how badly hurt she was. Of course, she had bruises the next day.

Q. What kind of bruises?

A. Well, from stomping her arm for one thing, that was the most bruise, arm and shoulder.

Q. Did the patient say anything to you about it?

A. No.

Q. Did she get up and walk around or go to bed?

A. Yes, yes, she still went to go, sure.

Q. Did she go to dinner that night?

A. ... (Reporter's note: The witness nodded indicating an affirmative reply) ...

Q. Was that on the ward or off the ward?

A. I believe we were taking her, yes, we were taking her to the dining room.

Q. What doctor was supervising this ward at the time?

A. I am not positive. Dr. Sampson was the doctor there for a while, but I don't remember if he was at this time or not.

Q. Did you ask any doctor to examine the patient to see what kind of injuries she had?

A. No, I didn't. I wasn't the Lead.

Q. When was the first time you told anybody about this?

A. Oh, I discussed it with technicians with whom I work.

ASSEMBLYMAN DONAHOE: Bottom of page 106, Bruce.

CHAIRMAN ALLEN: Q. Do you know who you discussed

this with?

A. With the technicians that -- with whom I work, Mrs. Gillum and Mrs. Lady.

Q. Would you spell the names, please?

A. L-a-d-y. G-i-l-l-u-m.

Q. When you came back the next day, what was the condition of this patient?

A. Oh, she was just about the same as usual, only she had bruises on her arm. Saw bruises on her so much, didn't pay too much attention to it unless she complained.

Q. Ever seen this patient since she was discharged?

A. Oh, yes.

ASSEMBLYMAN LANTERMAN: What ward did this occur in?

CHAIRMAN ALLEN: C-24 she said. Q. About what time of day was it this happened?

A. It was between shifts, between 2:45 and 3:15.

Q. You said that one of these ladies was jumping on the patient?

A. Yes.

Q. That is which one?

A. Mrs. Eppler.

Q. Mrs. Eppler?

A. Yes, sir.

Q. And what were the other three doing?

A. Mrs. Fleming had her by the hair, bouncing her head up and down on the floor and Mrs. Horton was holding the other arm.

Q. What was Mrs. Gilstrap doing?

A. Stomping her other arm and shoulder.

Q. Did they say anything to you about what they were doing?

A. No.

Q. Just continued?

A. They just give her the thrashing, that was it.

Q. All right. Now did you ever see this patient given a thrashing at any other time?

A. I believe that is the only one I saw in particular.

Q. Have you ever seen any other mistreatment of patients?

A. I saw Mrs. Berry one time kick one as hard as she could.

Q. Mrs. Berry, when was that?

A. It was when I first began working out here, my first -- while I was still on probation, seven years ago or more.

Q. 1949?

A. Yes.

Q. And what ward was that on?

A. C-25.

Q. And what was the name of the patient?

A. Her first name was Maggie, but I can't think of her last name.

Q. Is the patient still here?

A. I couldn't say. I haven't seen her quite some time.

Q. Do you know whether Mrs. Berry is still here?

A. Yes, Mrs. Berry is still here.

Q. How about these other four ladies, Mrs. Epple, Gilstrap,

Horton and Fleming?

A. Well, I hear Fleming has transferred to Agnews, I don't know.

Q. How about the other three?

A. They are still here as far as I know. I haven't worked with them in quite some time.

Q. Have you seen any other incidents of abuse of a patient?

A. Nothing only I saw Mrs. Gilstrap one day hit one in the stomach awfully hard.

Q. What patient was that?

A. Irma Gunderson.

Q. Was a special incident report made out on any of these three cases?

A. I don't remember if there was.

Q. Were you in charge of the ward during your shift?

A. No, no, no.

Q. Who was?

A. Mrs. Lady was the afternoon Lead. Mrs. Epple was Charge of the ward.

Q. When you saw these four people abusing Belle Ward, did you say anything to Mrs. Lady about it?

A. Well, Mrs. Lady was there I believe that afternoon.

Q. Did she see it?

A. I think so.

Q. What is her first name?

A. Clella (C-l-e-l-l-a), I believe.

Q. Dr. Adams, would you send for Mrs. Lady, please? Do you know whether a special incident report was made out on this?

A. I don't believe it was. I wouldn't be positive.

Q. Did you tell Mr. Martino about these things at the time he first interviewed you?

A. I just talked to Mr. Martino last week, that is the first time I talked to Mr. Martino.

CHAIRMAN ALLEN: All right.

ASSEMBLYMAN LANTERMAN: She was one of the five he didn't interview.

CHAIRMAN ALLEN: All right. Q. Is there anything else you can tell us about any other patients being abused?

A. Well, I didn't see if they were.

Q. Pardon?

A. I didn't see them. That is just a couple of incidents that I saw. The patients were always, some of them, bruises on them and the like, but I couldn't say how they got them. I wasn't there.

CHAIRMAN ALLEN: Questions? All right. Thank you very much.

MRS. BYRUM: Am I free to go home again?

CHAIRMAN ALLEN: Free to go home and we won't send for you again. Thank you. I am sorry we had to call you back.

MRS. BYRUM: I am sorry.

CHAIRMAN ALLEN: Let's take a five minute recess.

... The hearing was recessed at 4:00 P.M. and duly

reconvened at 4:20 P.M. ...

CHAIRMAN ALLEN: Will the meeting come to order, please?

Mrs. Webb, would you stand up, please?

MARY A. WEBB
Senior Psychiatric Technician I
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Mrs. Webb, you may recall that September 19th you testified in this room before this same Committee?

A. I didn't hear the first part of it, if you please.

Q. On September 19th, about two weeks ago, you testified before this Committee. Do you remember being here before?

A. Well, it hasn't been two weeks since I were here in this room, has it?

Q. Well, do you remember being here in this room and testifying?

A. Yes.

Q. Did I ask you some questions? Remember that?

A. Yes.

Q. All right. Now before you came in, did anybody tell you that you would lose your job if you failed to testify in a certain way?

A. No, sir.

Q. Nobody said anything like that?

A. Never.

Q. Do you have any corrections or changes you would like to make in what you told us before?

A. Well, I think I told you the truth.

Q. All right, thank you very much. Now you can have that copy of the transcript, if you will look it over and if there is anything you want to add or change to it, just let us know, please. Thank you very much for coming.

A. Is that all?

Q. Yes.

A. May I go on my ward?

ASSEMBLYMAN LANTERMAN: What happened to her thumb?

A. I have an infection in it. I had minor surgery done on it at two o'clock and it is very painful.

CHAIRMAN ALLEN: Is Mrs. Lady or Mrs. Gillum here? Mrs. Lady, please. Raise your right hand, please.

CLELLA LADY
Senior Psychiatric Technician I
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, please?

A. Lady.

Q. First name?

A. Clella.

Q. And you are employed here at the hospital?

A. Yes.

Q. How long have you been employed here?

A. I have been here since the first day of November in 1948.

Q. And what is your job title now?

A. Senior Psychiatric Technician Number 1.

Q. And you are in charge of a ward or what?

A. Yes, of afternoon.

Q. Afternoon shift?

A. Afternoon shift.

Q. Which ward?

A. C-24.

Q. C-24?

A. C-24.

Q. And how long have you been on that ward?

A. It was four years the 15th of May, past.

Q. Did you have a patient named Belle Ward or Belle Wood on that ward?

A. Yes.

Q. How old was she?

A. How old was she?

Q. Yes.

A. Well, I believe she was thirty-two or thirty-three.

Q. Is she there now?

A. No.

Q. When did she leave?

A. Well, I don't -- can't remember, but I think it has been about two years ago, two and a half or three.

Q. Does Valena Byrum work with you on that ward?

A. No, she doesn't.

Q. Did she at one time?

A. At one time she did.

Q. When was that?

A. Let's see, when I first went down there on that ward, it was in '52 and part of '53 I think.

Q. Do you know some technician by the name of Edith Epple?

A. Mrs. Epple, yes.

Q. Mrs. Gilstrap?

A. Yes.

Q. Mrs. Horton?

A. I know of them, yes.

Q. Mrs. Fleming?

A. Yes.

Q. Did they work on this same ward?

A. Some of the time, mm hmmm.

Q. And was that on your shift?

A. No, morning shift.

Q. Do you remember an occasion when the four of them gave Belle Ward a thrashing on the floor?

A. No, I can't remember it, anything like that.

Q. Do you ever remember Valena Byrum telling you that those four had given Belle Ward a thrashing?

A. No.

Q. Did you ever see Belle Ward beaten or mistreated by

anybody?

A. No, I never did, not on my shift.

Q. Did you ever see any bruises on Belle Ward?

A. I don't appreciate that picture.

... (Reporter's note: The witness referring to a picture a newspaper photographer had just taken) ...

Q. All right. Did you ever see any bruises on Belle Ward?

A. Well, a few, yes.

Q. And did you make any investigation as to how she got them?

A. Well, I tell you one night she tore a bed down and she tore the whole door down and almost tore the outside door down and she lunged against the door. She tore the whole door down.

Q. Was she in a private room?

A. Yes.

Q. By herself?

A. Let's see, she was in a private room.

Q. Were you on the ward that night?

A. Yes, I was.

Q. And what did you do about it?

A. I called the Supervisor.

Q. Did you --

A. And called for help.

Q. Did you make out an incident report?

A. Yes, I sure did.

Q. Now on that occasion did Belle Ward get some bruises?

A. Yes, I think she did because she was lifting this bed

and just lunging just like a wild person and she busted the whole ward.

Q. Was Valena Byrum working with you at that time?

A. No, she wasn't.

Q. Were there any other times when Belle Ward got some bruises? Was it "Ward" or "Wood"?

A. Ward.

Q. W-a-r-d?

A. Mm hmmm. (affirmatively)

Q. Any other times?

A. Well, not that I can remember of.

Q. Did you ever see her lying on the floor?

A. Well, whenever she was very disturbed she would sit down or lie down.

Q. What do you mean?

A. Well, I mean --

Q. I don't know about these things, you have to tell me.

A. Well, when she tore her bed up, she always -- the doctor ordered a mattress, innerspring mattress on the floor for her because she tore the bed out and used it for a battering ram.

Q. Used her bed for a battering ram?

A. Used the bed to batter the door down.

Q. Did she ever lie down on the floor and in the ward?

A. Do what?

Q. Did you ever see her lying down on the floor?

A. Well, whenever she got sedation she laid down, when she

was under sedation.

Q. Sedation?

A. Mm hmmm. (affirmatively)

Q. Medicine was given to her?

A. Yes, to keep her quiet.

Q. Would she lie down on the floor?

A. No, she'd lie down on her mattress, not on the floor.

Q. Did you ever see her lying on the floor?

A. No.

Q. Sitting on the floor?

A. Well, she has sit down on the floor.

Q. To rest or for some other reason? Why did she sit on the floor?

A. Well, if she didn't want to sit on her bed, she'd scoot over and sit on the floor.

Q. Well, did you ever see any attendants jumping on her or wrestling with her on the floor?

A. No, I didn't.

Q. Did Valena Byrum ever tell you she had seen any attendants doing that to Belle Ward?

A. Well, I don't remember her even saying anything to me.

CHAIRMAN ALLEN: Questions?

ASSEMBLYMAN LANTERMAN: Yes.

CHAIRMAN ALLEN: Mr. Lanterman.

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. Was this patient a kind of excitable patient? Did she

have moments of physical violence?

A. Yes, she did.

Q. And things of that kind?

A. Yes.

Q. What was the general usage, how did you restrain the patient under those fits of temper or outbursts of anger?

A. We just put her in the room to herself, in a room by herself so she wouldn't hurt anyone else.

Q. Did you have to use considerable force to do that?

A. Well, sometimes she would go in pretty good, we didn't have to.

Q. Other times she would resist?

A. Well, sometimes she would resist and didn't want to go in and sit down.

Q. But she had these fits on occasions?

A. Oh, yes.

Q. Was it often?

A. Yes.

Q. Unpredictable?

A. She was unpredictable.

Q. You didn't have the tranquilizing drugs at that time?

A. No, but later we did have.

Q. Did that put her under control?

A. Yes.

ASSEMBLYMAN LANTERMAN: That is all.

EXAMINATION BY CHAIRMAN ALLEN:

Q. Have you ever seen any employee here at the hospital abuse a patient?

A. No.

Q. Hit them, beat them, jump on them?

A. No.

ASSEMBLYMAN LANTERMAN: Stomp on them?

CHAIRMAN ALLEN: Q. Give them dry epsom salts?

A. No, I never did see that. That was a new one when I read that in the paper. I never seen such as that.

Q. Thank you very much.

A. Yes.

CHAIRMAN ALLEN: You are excused. Mrs. Gillum, please. Raise your right hand, please.

WANDA D. GILLUM
Psychiatric Technician
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Your name, please?

A. Wanda D. Gillum.

Q. And you work here at the hospital?

A. Yes, sir.

Q. And what is the title of your job?

A. Psychiatric Technician.

Q. How long have you been employed here?

A. Will be nine years the fifth of January.

Q. And what ward do you work on?

A. I work relief.

Q. Pardon?

A. I work relief on all the wards.

Q. I see.

A. Right now I am working on B-14.

Q. D-14?

A. B-14 and 15.

Q. Do you know Valena Byrum?

A. Yes.

Q. Did you ever hear her tell you anything about seeing patients abused?

A. No.

Q. Did she ever tell you she had seen some of the employees hitting a patient?

A. No, sir.

Q. Or jumping on a patient?

A. No, sir.

Q. Do you know a patient by the name of Belle Ward?

A. I do.

Q. Where is she now?

A. I have no idea.

Q. How long has it been since you saw Belle Ward?

A. Oh, maybe three or four years ago, I worked relief on security, that is the last time I have saw Belle.

Q. Do you know whether she is here at the hospital now?

A. I don't know. I just heard she was out. I have never seen her since then.

Q. Did you ever work on a ward where Belle Ward was a patient?

A. Yes, sir, C-24.

Q. And what kind of a patient was she?

A. Well, very unpredictable.

Q. What do you mean?

A. She would be -- we'd start to the dining room, she'd run away in front of us or have to be in seclusion at times for things, that we'd have to put her there because she'd harm other patients.

Q. What do you mean she'd harm other patients?

A. Well, everybody, just -- she just would go right after them.

Q. Would you pull the microphone up close to you?

A. How?

Q. This thing, pull it up close to you. Thank you. Did you ever see Belle Ward get in a fight with another patient?

A. No, I have never seen her in a fight. I know patients were afraid of her. I have seen her --

Q. Have you ever seen Belle Ward on the floor?

A. You mean on the floor like that?

Q. Yes.

A. No, sir.

Q. Did you ever hear any stories from anybody about any employees here hitting Belle Ward?

A. No, sir.

Q. Or stomping on her?

A. No, sir.

Q. Or pulling her hair?

A. No, sir.

Q. Pounding her head?

A. No, sir.

ASSEMBLYMAN LANTERMAN: Mr. Chairman.

CHAIRMAN ALLEN: Mr. Lanterman.

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. Did you ever have to use force yourself, Mrs. Gillum, on this patient, to restrain the patient?

A. No, we had to bring her back from running away one night, but I didn't happen to be the person that caught her. It was another patient that caught her and brought her back.

Q. I mean did she at any time in any outburst of temper or anger, did she ever require you or any group in C-24 to use force to subdue her?

A. Yes, sir, we had to.

Q. You had to use force to subdue her?

A. Yes.

Q. You had to put her where, in seclusion?

A. In seclusion, in a side room.

Q. And you yourself, however, had never had to resort to physical violence other than force or restraint?

A. No, sir.

Q. You never pulled her hair?

A. No, sir.

Q. Stomped on the patient?

A. No, sir.

Q. Beat her head on the floor?

A. No, sir.

EXAMINATION BY CHAIRMAN ALLEN:

Q. Do you know Ola Gilstrap, Mrs. Gilstrap?

A. Yes.

Q. She works here?

A. Yes, sir.

Q. Have you ever seen her hit a patient?

A. No, sir.

Q. Ever heard anybody tell you that Mrs. Gilstrap had hit a patient?

A. No, sir.

Q. Mr. Lanterman, do you have any more questions? Thank you very much, you may be excused.

A. May I go back to my ward? It is uncovered.

CHAIRMAN ALLEN: Thank you for coming. Is Dr. Noce here?

ROBERT H. NOCE, M.D.
Director of Clinical Services
Modesto State Hospital

having been first duly sworn that the evidence to be given would be the truth, testified as follows:

EXAMINATION BY CHAIRMAN ALLEN:

Q. Be seated, please. Could you give us -- withdraw that.

Do you know a patient, former patient by the name of Belle Ward?

A. Yes, I do.

Q. Used to be on C-24?

A. Yes, sir.

Q. Do you know where she is now?

A. She is out on leave of absence from the hospital. She went into a social remission due to treatment with serpasil, and the rest of the program here.

Q. You say social remission. You mean she quieted down?

A. She quieted down and improved sufficiently to warrant going on leave of absence from the hospital.

Q. Have you ever examined her?

A. Yes, sir, I have on numerous occasions and I have treated her also.

Q. What kind of ailment did she have?

A. She had a schizophrenic reaction of the catatonic type. She was prone to have violent outbursts of hyperactive and combative behavior to the point of being homicidal.

Q. How large a person is she?

A. Oh, she is a tall, rangy woman who is very strong. I would judge she is five - eight and a half or five - nine.

Q. Did she ever have any outbursts where she had to be physically restrained?

A. Yes, she had repeated outbursts which necessitated chemical restraint and seclusion. She had -- it was necessary to put her in a room by herself so that she would not harm other

people.

CHAIRMAN ALLEN: Any more questions?

EXAMINATION BY ASSEMBLYMAN LANTERMAN:

Q. Doctor, what is the check being made now on this patient on leave from the hospital under this treatment?

A. Well, the Social Service workers check on her and there are periodic notes made in her record. In addition, the Protestant Chaplain sees her on a weekly or bi-weekly basis for counseling. For a long time she also received serpasil and so that she could be maintained in an oh, let us say socially acceptable condition. That drug seems to quiet her down.

Q. What is her present status according to the last report?

A. According to the last report she is still on indefinite leave of absence from the hospital; that is, she is residing out of the hospital, but is still under our supervision.

Q. No outbursts at the present time?

A. As far as I can recall no, but she still has some underlying evidence of paranoiac ideation which she is able to keep under control fairly well, that is she is a bit suspicious yet. I don't think she is entirely cured, but she is in good enough condition to live outside of the hospital.

Q. She has been outside of the hospital for over three years or about three years?

A. A few, I would say a few years, Mr. Lanterman.

Q. One, two or three?

A. Something like that, a few years, yes, sir.

Q. Is she under constant medication?

A. At the present time as far as I am aware, she is not getting medication. We finally stopped giving her medication and find she is getting along all right without it, but she did receive medication for a prolonged period of time after she left the hospital.

CHAIRMAN ALLEN: Thank you very much, doctor. That concludes the hearing for today. The work of this Committee has not been completed. We have a hearing scheduled for a week from today at Agnews State Hospital, start at ten o'clock in the morning.

There are other questions involved here which we will take up in the future. Thank you all for being with us.

The meeting is adjourned.

... Whereupon the hearing was duly adjourned at 4:40 P.M. ...